

*Edmond Simpson*

SECOND THOUGHTS:

OR,

OBSERVATIONS

UPON

LORD ABINGDON'S THOUGHTS.

THE SECOND EDITION,

[Price One Shilling and Six Pence.]

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OR,  
OBSERVATIONS  
UPON  
LORD ABINGDON'S THOUGHTS  
ON THE  
LETTER OF EDMUND BURKE, ESQ.  
TO THE SHERIFFS OF BRISTOL.

BY THE AUTHOR OF THE  
ANSWER TO MR. BURKE'S LETTER.

" It is a jest, and something worse, in a man who flings away his  
" fortune this way, to pretend any regard for the good of  
" mankind."

Tractions by TRENCHARD and GORDON, I. 326.

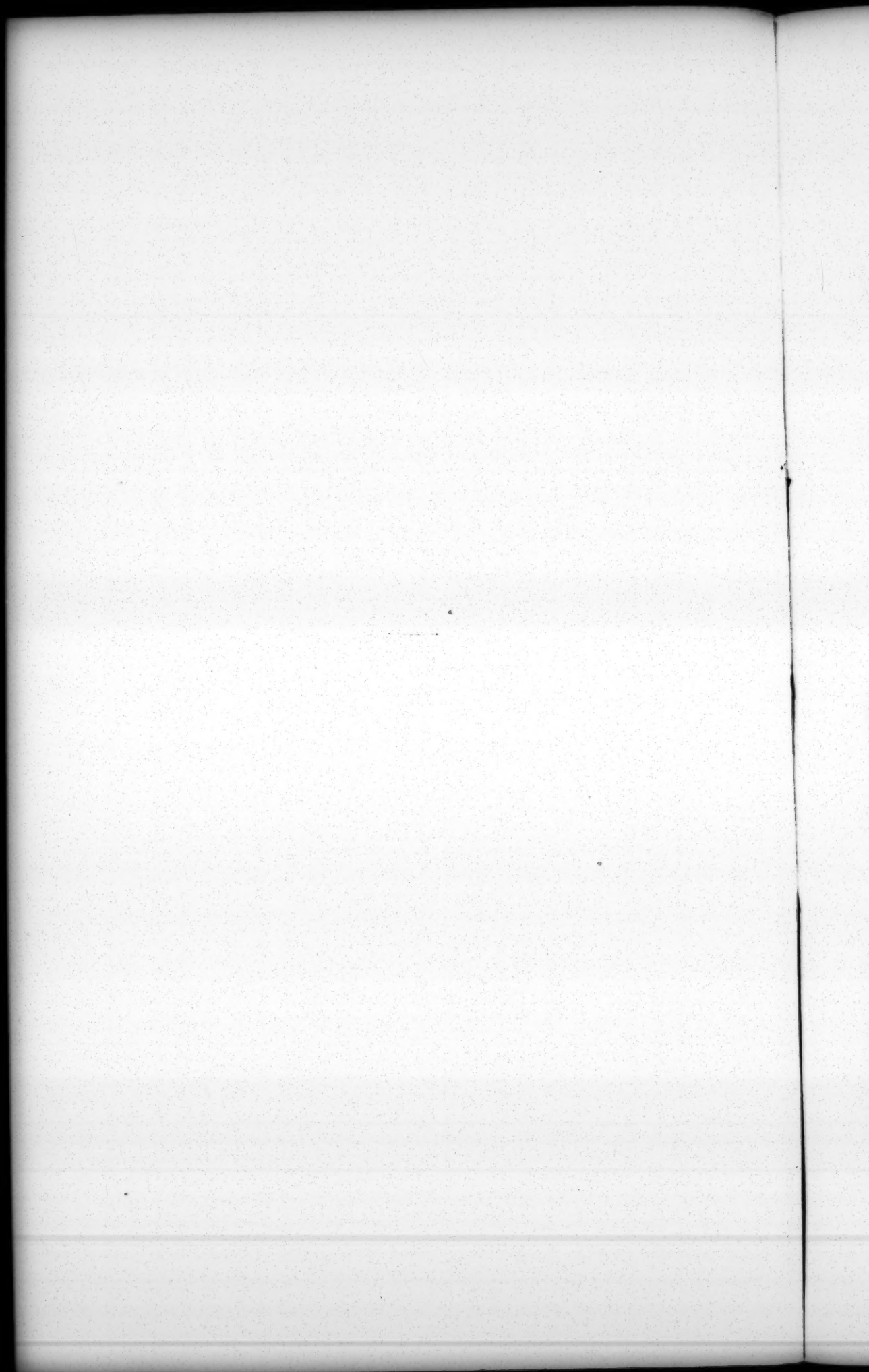
THE SECOND EDITION.

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# OBSERVATIONS

UPON

LORD ABINGDON'S THOUGHTS

ON THE

LETTER OF EDMUND BURKE, Esq;  
to the SHERIFFS OF BRISTOL.

**O**BSERVATIONS upon a performance which is not written with the greatest regularity and order, whatever be its other merit, will sometimes want method, will now and then be irregular. We shall follow Lord Abingdon step by step.

Lord Abingdon will be followed regularly.

His Lordship "sympathises most cordially with " Mr. Burke in those feelings of humanity, which " mark, in language so expressive, the abhorrence " of his nature to the effusion of human blood<sup>a</sup>."— Had the pamphlets of the orator and the peer contained only sentiments of this amiable nature, not a single reader but would have sympathised most cordially with both.—Opposition, it must be confessed,

Right in his abhorrence of the effusion of blood.— Those, who abhor it, should not promote it.

<sup>a</sup> Lord Abingdon, p. 3. It is the second edition which will be always quoted.



has been accused of fomenting the present unhappy difference between this country and America; but members of opposition, who sympathise so heartily with each other in their abhorrence to the effusion of blood, could never surely! so much disgrace human nature as to cause, to delight in, the effusion of human blood.

After all,  
blood must  
sometimes  
be spilled.

THE friend of his country, or—what is more—the friend of mankind, should shudder as much at the sight of the blood of his fellow-creatures, as the timid female at the sight of her own blood. Occasions, however, there are when this becoming delicacy must be conquered; moments of real danger, of life or death, when the weakest woman will be bold.

If Mr. B.  
meant, as  
Lord A.  
seems to un-  
derstand  
him, that  
the Trans-  
Atlantic re-  
bellion is  
fruitless,  
and unnatu-  
ral—he was  
not far from  
the truth.

HIS Lordship agrees too with Mr. Burke “in idea, “ that the war with America is fruitless, hopeless, “ and unnatural; and I will add,” says the noble author, “ *on the part of Great Britain*, cruel and “ unjust.” A common reader, observing his Lordship to preface his own decisive epithets with this particular phrase *on the part of Great Britain*, would be led to imagine that Mr. Burke’s no less decisive terms were meant *on the part of America*. Nor would the monosyllable *war* in the least clear up the obscurity; for, what a common reader calls rebellion, Mr. Burke always dignifies with the name of war; though this be surely! to do that, of which Mr. Burke so pathetically complains—to “ confound, not only the na- “ tural distinction of things, but the order of



“ crimes <sup>d</sup>.” That the common reader should mistake this passage is far from singular, since Mr. Burke would have been precisely accurate had he applied the terms “ fruitless, hopeless, unnatural,” to the efforts of America in the present melancholy difference.—Unnatural they clearly are; hopeless, fruitless they will soon begin to prove.

THE commendable fire which blazes out at the first mention of his political associate<sup>e</sup>, does his Lordship credit, and gives the reader hope, as well as pleasure. — Sore, and recently sore, from the treachery of social friendship, we would not, did we approve it, recommend infidelity in political friendships. — From him who is not yet dead to the feelings of private life, something may justly be expected in public. The human being—if indeed he deserve that honourable appellation—who is incapable of attachment to a single individual, will have some difficulty to persuade us of his sincere attachment to a body of individuals. Even the members of Opposition have those among them, about whose sincerity they justly doubt. To hate a man with as much rancour as if he had formerly been his friend, is a character drawn only by the severity of Junius, deserved only by the consistency of the Duke of Grafton. Impossible as it appeared, his Grace has contrived to sustain the difficult uniformity of even his character, by deserting bodies of men, as he had before deserted and betrayed individuals.—A praise this, in which

The warmth of Lord A.'s private friendship, gives us hopes of public attachment—

as we despair of it from the Duke of Grafton, when we remember his friendships.

<sup>d</sup> Mr. B's Letter, second edition, p. 5.

<sup>e</sup> Lord A. p. 4.

the Duke of Grafton may glory ; which Lord Abingdon, we hope ! will never either desire or deserve.

But who  
will venture  
a prophecy  
even on  
Lord A.?

—BUT, after all, the politics of this fickle country are as variable as its women, or its weather. To hazard a prophecy of the next hour would be dangerous. In the morning even of the Duke of Grafton's political days there was a transitory sunshine moment which seemed to promise fine.

If the Mar-  
quis merit  
the praise—  
So: if not  
—the praise  
becomes se-  
verest satire.

“DISINTERESTED ! honest !” These, in very truth, are titles most illustrious—nor can any which the House of Lords contains, any which Royalty bestows, do greater honour to the wearer. “Disinterested ! honest !” *Cato ille noster, qui mihi unus est pro centum millibus*<sup>2</sup>. His Lordship, we are persuaded, would never suffer his honest pen to “pranck base men in proud superlatives<sup>3</sup>.” Does the Marquis of Rockingham deserve these enviable titles ?—Then deserves he also to be “a sacred deposit in the bosom<sup>4</sup>” even of the Earl of Abingdon ; and little occasion has the Earl to envy Mr. Burke his connection with “the temperate, permanent, hereditary, virtue of the whole house of Cavendish<sup>5</sup>.”—Should the Marquis of Rockingham not<sup>1</sup> deserve these titles,

<sup>2</sup> Lord A. p. 4.

<sup>3</sup> Cicero.

<sup>4</sup> Donne's Satires.

<sup>5</sup> Lord A. p. 4.

<sup>1</sup> Mr. B.'s Letter, p. 67.

<sup>1</sup> If the reader have any curiosity to weigh the political merit of the noble Marquis, he will find one scale loaded with all that his profest panegyrist could say in his favour (Mr. Burke's speech, 19 April 1774) —the other filled with the weighty arguments of calm Moderation, and solid Sense (Remarks on the Acts of the 13th Parliament, Part 2. Sect. 11.) It will be enough for us to observe, that, very early in the year 1767, the colony of New-York complained by petition that “the

“ commercial

titles, he would feel as uneasy as the miller of Mansfield after he was knighted; and Lord Abingdon could supply us with another proof, that it is not quite so glaring a contradiction as Sir William Draper imagined it, to call a man the most bitter enemy of his friends.

THAT Lord Abingdon differed from Mr. Burke, in his parliamentary conduct concerning the act for the suspension of the Habeas Corpus, must give the reader pleasure, for the sake of his Lordship's political character. If there be any merit in consistency of opposition,—that merit, in this instance, Lord Abingdon can claim. The conduct of Mr. Burke was unworthy an orator, unworthy a patriot, unworthy a man: Not immediately, because he did not oppose the bill; but because, never having resisted the bill with the faintest finger of opposition, he descended so very low as to write against it, after all opposition was vain and frivolous; after it had passed into an established, perfect act of parliament. What shall we call the behaviour of that man who basely deserts his post in the constitution, who refuses to do his duty in the time of (what he calls) danger, who leaves every thing to the mercy of (those whom he calls) enemies; and, when (what he calls) the tyrant-

Lord A. consistent in his opposition at least—

Mr. B.'s conduct most despicable.

“commercial regulations enacted in the last Session of Parliament, instead of remedying, had increased, the heavy burthens, under which they already laboured.” *Com. Journ.* vol. 31. p. 160.—Have the colonies a right to judge for their selves to-day? then they had the same right yesterday.—The 390 days' wonderful, amazing, singular, and astonishing political performances, exhibited by the Marquis and (as Mr. Burke, who was one, calls them) his “excellent associates,” before the King and the whole British court and nation, ended, to the joy of America at least, on the 30th of July, 1766.



ny is perhaps irreparably established, sits down to describe to a parcel of Bristol electors (what he calls) their distressful situation; into which, if they have not a right to say, his Treachery betrayed them, out of it, they may surely ! affirm no endeavour was made to extricate them by all the sturdiness of his patriotism.

Lord A.'s  
praise of  
Mr. B.'s  
Letter nei-  
ther very  
just, nor  
very desir-  
able.

OF the praise, which his Lordship lavishes on Mr. Burke's ill-timed arguments about this bill, that which is not true cannot weigh much; that which is true the ambition of few writers would covet. If all the merit of Mr. Burke's letter to the Sheriffs of Bristol consisted in "*nice distinctions*," and in "*many strictures*;" the praise is more true, than desirable. If his objections be "*unanswerable*," Lord Abingdon indeed is right, in calling them unanswerable; but his Lordship stands as "*single and alone*" in his opinion of those objections, as in his protest, against the bill.

Those who  
blame the  
bill must la-  
ment even  
Lord A.'s  
short ab-  
sence.

THAT, Lord Abingdon unluckily "being in the  
" country, this bill was in its way through the House  
" of Lords before he knew any thing of it," must  
undoubtedly give uneasiness to those, if there be any,  
who entertain the same opinion of the dangers, the  
mischiefs, of the act, as his Lordship and Mr. Burke  
entertain. In that case too, amidst all the gratitude  
to his Lordship for descending thus late, from avo-  
cations more sublime, into our humbler system to  
counsel and to decide, it would be lamented perhaps  
that so able a friend of liberty as Lord Abingdon

suffered any business to call him at any time into any country from his duty in Parliament.

PRECEDENTS his Lordship pronounces to be dangerous. Dangerous they may be. Though Lord Abingdon go into the country, for the laudable purpose of settling the *nice distinction* between Constitution and Law, and of determining their *lineal consanguinity*—Other Lords may be absent from town now and then, for less patriotic purposes: to settle the exact weight to which a particular horse is equal, to determine the difficult pedigree of a promising filly: Other Lords may pay more attention to the meetings at Newmarket, than to the meetings of Parliament; may be much better acquainted with the jockey scales, than with the balance of Europe.

The precedent dangerous,

for all Lords are not patriots.

THE noble author proceeds to bestow some thoughts upon the malignity of the bill in question, before Opposition, without the assistance of Mr. Burke, amended it—a bill which he most gently styles a *hell-governed proscription*°. The appellation was not dictated by his Lordship's customary humanity<sup>p</sup>. *De mortuis nil nisi bonum*, is at least as good a maxim with regard to Laws, as to men. The bill is more than dead—as a law it never was alive.

Not good-natured to coin harsh names for a bill which never passed—

BUT there are who would dispute the propriety of the appellation. Mr. Burke wished for an universal suspension of the Habeas Corpus, because it would have operated, in return, “as a call of the nation.”

and which many wish had passed—

\* Lord A. p. 27. 28.

° Lord A p. 9.

<sup>p</sup> Lord Abingdon, in his protest of the 24th of February, dissents “*first*—because the bill is so shocking to *humanity*, and so averse to that “now exploded virtue of *universal benevolence*, &c.”

There are honest men yet left in this country, who devoutly wish an universal suspension to take place, for the sake of their country &c.

\* “ Thirdly, because although the rider, which has been added by the other House, does, in some degree, abate the rigour of this harsh and alarming bill, yet it does not sufficiently provide for the security of his Majesty’s *loyal* subjects, the inhabitants of the West India islands *falling under its baneful operation*; nay, even any individual of this country, who shall venture on the high seas, if only to make the tour of the Hebrides, may become the object of Suspicion, and the *victim of Vengeance.*” Thus declaims his Lordship in his protest; and hardly a seditious drinker of purl within the bills of mortality, but was in raptures with the patriotism of those spirit-stirring words “ *Victim of Vengeance.*” They operated as a sort of call of the alehouse.

These things indeed they have articulated,  
Proclaimed at market-crosses, read in churches,  
To face the garment of Rebellion  
With some fine colour, that may please the eye  
Of fickle changelings and poor discontents;  
Which gape and rub the elbow at the news  
Of hurly-burly innovation:  
And never yet did Insurrection want  
Such *water-colours*, to impaint his cause;  
*Nor moody beggars, starving for a time*  
*Of pell-mell, barcock, and confusion* \*.

That great wits should jump, is not strange—that they should jump into the same false argument, is rather odd. Mr. Burke complains, with as little truth as Lord Abingdon, that every man in the West Indies is under a temporary proscription. It should seem they so thoroughly abhor the act that they have not deigned it a single reading. The slightest perusal of it would banish all their apprehensions. Patriotism, Loyalty, are as much at liberty to make the tour of the Hebrides, as ever they were. Rebellion indeed is confined within a narrower circle.—His Majesty’s subjects must cease to be *loyal*, before the *baneful* act can operate.

\* *Shakespeare.*

NOR



NOR would such a bill have brought Pombal<sup>r</sup> hither, as his Lordship endeavours to persuade us ; nor would it have been impossible for the frightful castles of Dumfries and Pendennis to have had their inhabitants without immuring the innocent.

and which does not deserve them.

HIS Lordship allows that “ if England was under “ the same predicament with America, that is to say, “ if Englishmen were looked upon to be rebels, as “ the Americans are, in such a case, a partial suspension of the Habeas Corpus would be invidious, “ and consequently more unjust than a general suspension of it.” If there be Englishmen who are rebels, and are not *looked upon to be rebels*, not treated as rebels, this is no proof of tyranny.

On his Lordship's own principles it should have passed.

IN countries of less freedom than we happily possess ; in countries where to wield the pen, is only less criminal than to draw the sword, of rebellion ; letters to sheriffs of Bristol, and thoughts upon those letters, would not be called patriotism. A little time, and in this land of freedom, without any diminution of our freedom, they will not be so called—nay, we question if they be now so called. There is a generous sentiment about a truly British heart, which prefers the open, daring highwayman, before the cowardly incendiary. Courage is still a virtue even in the hands of villany. John the Painter is a respectable character when compared with his employer Silas Deane.—We feel ourselves to approve those Deities

For there are Englishmen who

<sup>r</sup> Who, by the way, does not deserve all that is said of him.—In some countries the shining statesman sinks gradually from the West, only to illumine the opposite world of patriotism, and to appear tomorrow, perchance, in his old meridian. In Portugal we see it is not so ; but, when he sets, he sets—never to rise again.

should be  
considered  
as rebels.

of the Iliad who share the dangers of the day, more than those, who, like the curious spirits of Mr. Soame Jenyns, in his *Origin of Evil*, delight in cruelties and mischief, and create, foment and enjoy the disturbances, in the way of amusement.

WHATEVER confusion may appear in the idea, whatever solecism in the language, *Englishman* and *rebel* must, we fear, when we speak of some men, appear in the same sentence; and let us ask with Lord Abingdon, "why should one rebel be distinguished from another?" Are we asked, in return, for definitions? Our abilities do not lie that way quite so much as his Lordship's; but Mr. Burke shall answer for us both; and Mr. Burke is a great definer—so are they all—all great definers. "Whenever a rebellion really "and truly exists," says Mr. Burke, "is as easily "known in fact, as it is difficult to define in "words."

But it did  
not pass—so  
why these  
arguments?

BUT we have heard of a couple of girls pulling caps about their property in a young fellow who had never spoken to either. To argue about the good or bad effects of a bill which is not passed, nor apparently meant to be passed, is little less ridiculous.

The con-  
duct how-  
ever of our  
parliament,  
concerning  
the rebellion  
in America,  
is a  
subject.

THE conduct of the leading friends of the deluded people of this country is rather whimsical—Mr. Burke very quietly, without the weakest opposition, suffers a bill to pass into a law, which, after it is so passed into a law, he as quietly sits down to load with almost every epithet of disapprobation in the English language—except that, which Lord Abingdon has

coined, of "hell-governed." Lord Abingdon too condemns the bill indeed, and chiefly, as far as we can understand, because his Lordship "stood *single and alone*, in a solemn protest against it;" but every thing like argument is reserved to prove to us the miserable situation in which we should have been, if a bill, which is not passed, had been passed; to make us sensible of the *hell-governed proscription* from which this country is saved by the amendment proposed by Opposition.

Of this amendment a word or two. Does it, or does it not, deserve all the noble praises bestowed upon it by the noble Lord? "Was the writing of a letter "to, or receiving a letter from, America, in this "country, though the contents were ever so harmful" (as his Lordship pretty roundly asserts), "ground of suspicion sufficient," before this boasted amendment, "to immure a man in the castle of Dumfries, or Pendennis, or wheresoever <sup>b</sup> else Persecution should think fit to send him?"—Is there a single reader hardy enough to answer in the affirmative?—No. Then where is the merit of the amendment?—Yes. Then mind. To whom are we fundamentally obliged for this glorious amendment?—Patriotism and Opposition deserve our thanks for so many things, that we are persuaded they will not accept, much less claim our thanks, when not deserved.—Is Opposition the minority or the majority? If some gratitude be due to the minority who proposed the amendment, some is also due surely! to the majority who did

Tho' Opposition proposed it—ministry acquiesced in it, when they might have rejected it.

<sup>b</sup> Id est, to the Devil, perhaps; as the proscription was "*hell-governed*," as "our government is sometimes unhappily found in the hands of *Devils*." Lord A. p. 33.



not oppose the amendment, who acquiesced in it readily<sup>c</sup>.

So much for the bill, against which the Conscientiousness of guilt alone declaims.

AND here let us leave this bill, amended as it stands, to render those services to this country which it was wisely enacted to render, which it has rendered, which it will still render. That those whom the finger of a particular law points out to punishment, should think the law unjust, is not so strange. That a guilty prisoner should exclaim against the cruelty of bolts, of bars, and of chains, is far from wonderful.

As to our expiring liberties.—Rebellion is propagated here with more impunity than freedom even in America.

A foreigner, who is told, in such publications as Lord Abingdon's and Mr. Burke's, that the liberty of Great Britain exists no longer, would hardly give credit to the assertion; nor would he immediately set out for his own country fraught with the welcome news. Where is he who can well imagine a greater proof of liberty, than the impunity with which some men are suffered to assure us, and to appeal to God, that liberty is at an end, that all is tyranny, oppression?—Liberty, since she has deserted poor old England, is feigned to have taken her flight to America. Let any of these gentlemen, who so loudly tender their blood and services, follow her thither, and we do not want them to turn loyalists, but let them

<sup>c</sup> Mr. Dunning's clause, or rather rider, was admitted readily; as the members, who *did* attend, very well know. It was not only admitted readily, but admitted in a stage of the bill, in which, if a bill be debated, an amendment is hardly ever proposed, much less admitted.—It is ever reason sufficient for the minority to oppose any thing, that it comes from the other side of the house. *Delenda est Carthago*, they continually exclaim with Cato—or, with Cicero, *Catoni quidam (quoquo modo se res habeat) profecto resistimus*. Their question is never what, but whence, is the motion?

only

only have the goodness to propagate even doctrines of freedom which the Americans do not like, or do not understand, and, should they ever return alive, if they do not return tarred and feathered \* and googed and made into minced meat for the maw of Liberty, forswear we every thing like prophecy from this instant.

MR. Burke had confidently laid it down as “ a great, steady, uniform principle, that, whenever an act is made for the cessation of *law and justice* the whole people should be universally subjected to the same suspension of their franchises †.” To this his Lordship objects ‡ ; and objects with reason, though

Lord A.  
right in re-  
probating  
Mr. B's  
grand prin-  
ciple.

\* Of this, one of the Machiavelian triumvirate at Paris remains, thanks to his good fortune ! a living witness. Could his countrymen have caught him, we had lost, if report say true, his testimony at least ; though they meant to hang him up as a memorandum of their love of freedom. His abominable crime was endeavouring to persuade these sons of liberty to a gradual abolition of slavery.—That which is to immortalize, if it do not bring to their own worn-out gibbets, a Hancock, an Adams, and a Franklin, would condemn to the severest tortures one of their slaves.—Tell the righteous judge that he is the criminal, and you totally alter the case.

† Mr. Burke's letter, p. 15.

‡ In a book which does not deal much in politics, we are told that “ a house divided against itself can never stand.” Will the house of Opposition be a proof of this ?

In a book which does deal in politics—and in something very abominable, it should seem, as no printer has ventured his name to it—in a publication of the speeches made by Mr. Wilkes in parliament, a note complains of Mr. Burke for not thanking those who proposed the amendment to the act ; complains that they are harshly told by those who did not attend their duty in parliament, that they have done mischief ; that, so far from taking out the sting, they have sharpened it, envenomed it to a greater degree ; that they ought to have suffered so wicked

Proved—  
and not, we  
hope! too  
diffusely;  
for the prin-  
ciple is not,  
we are sure,  
worded ho-  
nestly.

though not, it should seem, for the right reason.—Great and steady principles should neither be laid down in a hurry, nor taken up hastily. Had Mr. Burke given a little more time to his principle, we should understand it a little more clearly.—*Law and justice*—By these words a common man undoubtedly means the common course of law; the common, ordinary, course of justice; of that justice, of that law, which are the common guardians of the common rank of citizens. Is this Mr. Burke's meaning? Impossible! for every cessation of these is not, ought not to be, universal. For mind—whenever these be made to cease (if Mr. Burke must have it *cessation*) with regard to particular subjects, the usual stream of law and justice is not dried up; it is only diverted into another channel.—The principle was pointed against the act in question. Apply it to the act in question. But the act was not made for a *cessation* of law and justice: it only altered—did not even *suspend*; for to suspend is not properly to put one thing in the place of another—the act only *changed* the common course of law and justice, with regard to men no longer within the common rank of citizens.—Try the principle again. Martial law—though not in Mr. Burke's words, a

wicked an act to have been universal, to have extended to Great Britain as well as to America (vol. I. p. 153.). Just this Mr. Burke clearly does not say.—But alas! how can we hope to understand the real meaning of our friends and leaders, when they not only cannot agree together, but cannot understand one another?—Savages have wisely doubted the good intentions of religious missionaries, when they have seen them quarrelling among themselves. What will this enlightened nation think of the infallibility of their patriot missionaries, who are so totally unable to agree?



*cessation of law and justice*—is an alteration of common law, a *suspension of franchises*, with regard to men out of the common line of subjects, with regard to foldiers. But shall the whole people be universally subjected to martial law? Mr. Burke, whatever be his affection for his “great, steady, uniform principle,” will not answer *Yes*.

“THE alarm of such a proceeding,” adds Mr. Burke (taking his principle to be granted) “would operate as a sort of call of the nation.”—“As to my part, I have heard so many calls of the nation of late, without any answer being made to them,” subjoins his noble commentator<sup>g</sup>, “that I fear the nation has either lost its hearing or its voice.”

A difference  
between the  
two grand  
patriots

Now mark a plain man set both right—How it may be in national parlance those who are conversant with nations best can tell; but, to be sure, in common parlance, except in theatrical soliloquies, a man does not very often call to his self. The caller then may be faction, the callee this deluded nation. Here is the whole case—the latter has lost its hearing; the former, happily for this country, its voice.—In order to remove every shadow of obscurity from this explanation, it will be proper to observe, that, by faction, is not meant exactly what Mr. Burke means, when he modestly speaks of “the faction of the predominant power<sup>h</sup>.”

settled.

WITH regard indeed to an act made for a *total* cessation of *all* law, and of *all* justice—such is not

<sup>g</sup> Lord A. p. 2.

<sup>h</sup> Mr. B's letter, p. 15.

the act in question : but such an act all good men will always wish to see operating upon all, universal. In a real moment of such political danger as that on the edge of which Mr. Burke and his Lordship in vain endeavour to persuade us we at present tremble, we should hope that every friend of liberty and of this country, and Lord Abingdon, as one, would cordially agree with Mr. Burke ; would be “ sorry that any thing framed in direct contradiction to the spirit of our constitution, did “ not, instantly, produce, in fact, the grossest of the “ evils with which it is pregnant in its nature.” Notwithstanding his Lordship’s protest against it<sup>1</sup>, Mr. Burke’s principle here will bear the nicest trial ; for the principle is strictly right. The Orator tried his principle by the great balance of national interest ; comes the Peer, and weighs it in the narrow scales of a shopkeeper.

In another  
principle  
Mr. B.  
right.

Proved to be  
right ;

from gam-  
ing,

THE experience of those who have lost their time, perhaps their all, at the gaming table, might assure younger practitioners, how much better it would at present be for their crumbling estates, had half their fortunes, nay three parts, been swallowed up by the dice-box, on the fatal night of their initiation, than to have descended by gradual and almost imperceptible losses, to complete distress and final poverty.—The alarm of such a loss would indeed have “ operated “ as a sort of call” of prudence ; innocent families would have been saved from ruin ; and the infamy of gaming would not seek for a despicable retreat in the misery of patriotism.

<sup>1</sup> Lord A. p. 10.

A GOOD citizen should wish, that *nemo repente fuit turpissimus* were not such a truism in politics. Had Charles ripened into tyranny at once, he would have been plucked in an earlier hour, and this country, during that dead interval, might have borne us fairer fruits.

If the sacred fortress of Freedom must be attacked, better the open siege than the secret mine! If we must perish by the hand of Despotism, at least let us see our enemy, let us perish in the light!

NAY, so completely subscribe we to the latter of Mr. Burke's two principles, that we are of opinion it would be more for the good of this country if noblemen, gentlemen, and others, instead of spinning thin cobwebs of rebellion in holes and corners, would honestly and openly join those whom they defend; would be manly enough to venture something more than arguments, and weak ones too, in the cause which they pretend to approve.

THIS country has wept over other rebellions, but they were all rebellions of another kind. In 1745 the rebels avowed their principles, and acted like Englishmen—like honest though mistaken men. The English rebels of the present day condemn their cause by the cowardly, poor, spiritless, manner in which they support it. But we have our consolation—If we cannot hope much from their patriotism, we need not fear much from their rebellion. *A quibus nihil sperares boni reipublicæ, quia non volunt; nihil metuas mali, quia non audent* <sup>the nature of which is now changed—all our modern rebels cowards.</sup>

▪ Cicero.

D

EVEN



Even our patriots boast but one *par nobile fratrum*.

**EVEN** among the friends of liberty, and of the constitution, who is there that has offered us blood and services, beside a British peer, and an Irish patriot—the Earl of Abingdon, and Sir Edward Newenham P?

A digression (which it is) from patriots to Dr. Franklin.

**BUT**, now we are among the friends of liberty and of the constitution, let us pause a little upon Doctor Franklin; whom his Lordship, in the fulness of his heart, styles “great philanthropist and friend of liberty.”

Does the Dr. deserve the panegyric?

**WITH** the negative derivation of the latin word *lucus* we are all acquainted. We have heard of Philip the fourth, who, in the beginning of his reign, was made by Olivares to take the appellation of *Great*, from the hope that his Pride might be driven to deserve what was yet only bestowed by Policy. Why Lewis the thirteenth was styled *Just*, we all remember—because he was

P See the Irish letter from Sir Edward Newenham, inserted in all our news papers, to the credit of Patriotism.

Whatever be the merit of Lord Abingdon's pamphlet, verily it hath had its reward. Sir Edward Newenham has applied to it the enviable praises of *multum in parvo*, and of *magna est veritas, et prævalebit*; which are to be found, the latter as a motto to certain little medicinal bills affixed to the diuretic corners of most English watch-boxes, the former making part of the title to a book, which, though not in the patriotic line, still has its uses, called “*multum in parvo*, or every “man his own ratcatcher”—But herein we by no means accuse Sir Edward of plagiarism; Irish watch-boxes, may differ from English ones; this useful little book may not yet have visited Ireland.—Nor is this all; for, if we may believe our public prints, the honourable house of commons in Butcher-Row, has absolutely approved his Lordship's principles and sentiments nem. con.

\* Lord A. p. 11.

said to have been born under *Libra*.—Why Doctor Franklin is called such names as these, it will be somewhat difficult to discover. Even the Doctor's hoary experience, wonders as he reads, and notes it down that the credulity of mankind may be led further than even he imagined—at least it may be so in Britain.

THE Archbishop, though it should seem his Lordship has forgotten, was surely careful to teach his noble pupil the greek roots from which so common a word as *philanthropist* is derived ! But, unluckily, of all words in all languages hitherto invented, this is just that identical word which cannot possibly, without a contradiction to which the Doctor's illustrious Pliny<sup>a</sup> is, no doubt, a stranger, be, by any means, applied to the American Zanga. If the able speech<sup>r</sup> before the privy-council deserve the civil phrases of “foulmouthed language—indecent, “doubly indecent, mockery<sup>f</sup> ;” some epithets a moderate man would think not ill bestowed upon the *philanthropy* which that famous speech was calculated to expose. Will Dr. Franklin presume to mock us with talking of “the abhorrence of *his* nature also to

Proofs by  
which the  
reader may  
judge.

<sup>a</sup> The reader may choose between the two Plinies. One is famous for a panegyric, the other for describing prodigious exceptions from common nature. *Ille quot Plinii ! Cic.*

<sup>r</sup> Which was more commendable—the eloquent warmth of Friendship in the orator, for the injury offered to the memory of one brother, and the attempt made upon the life of another ; or the unfeeling coolness of the assassin, who was infinitely less moved than the most unconcerned auditor ?—The speech of Mr. Wedderburn is preserved in a publication of Hutchinson's and Oliver's letters by Wilkie.

<sup>f</sup> *Lepd A.* p. 11, 12.

“ the effusion of human blood ? ” When the name of Whately shall no longer be remembered, the name of Franklin may hope to be mentioned with somewhat less of detestation than at present. We may then cease to abhor him as a man ; may then only despise him as a politician ; perhaps even wish that we could pity him as a rebel.

Further  
proofs.

ARE the means by which a copy of the Essay on Woman was procured from Wilkes, condemned ? Are the means, by which John the Painter was convicted, reprobated ? With what complexion can they be reprobated, can they be condemned, by those who style Dr. Franklin a “ great philanthropist ? ”

Further  
proofs.

THE real sentiments of America, especially with regard to Doctor Franklin, will soon begin to appear. By those who best knew him, by his dearest<sup>t</sup> friends, he has long been discovered and detested. Even those who are attached to him by similarity of views, have long doubted, but are now convinced.— Good men have for some time been his enemies, the worst cease to be his friends.— About that villany, which shocks even those whom it was designed to serve, there must be something most completely execrable.

Further  
proofs.

THE Americans, from interest it may be, have not yet, except in some few instances, carried their treason into private life. Their Haste began at the wrong end. The Doctor, by a regular education, has succeeded better. Trained in the hardy school of pri-

<sup>t</sup> Dr. F's nearest relation has all along been in the service of government.



vate treachery, stained with the honourable blood of injured friendship, he thought he was qualified to be a public traitor—and he did not err. Unhappy man! His ambitious villany is stopt for want of space. It has but one step more—to be a noble traitor <sup>u</sup> to the very country he has led to treason. Be not in a hurry. Vice, as well as Virtue, must have time to ripen. Lord Abingdon was not all at once a patriot.—Thus much is clear, that, if Doctor Franklin be not a traitor to more countries than one, he is only less contemptible as a negociator, than detestable as a friend.

BUT the uncommon, the eccentric, baseness of this monstrous man has led us out of our way; if the honesty of good intentions be ever out of its way, while it is employed to fix a brand on infamy. We meant to say, that even the very Americans, many of them, though they devoured the fruit of this wretch's treachery to Whately, shuddered as they plucked, and cursed the serpent's tongue which bade them pluck. Beside their abhorrence of the crime, they drew the natural conclusion, bad reasoners as they are, from Franklin's premises; and too justly, as will appear, doubted that man's faithful attachment to thousands, who had been so villanously faithless to one.

Further  
proofs.

<sup>u</sup> Acquainted with the man, his employers already have suspected. Already they have reproached him with sacrificing the great interests of their cause to *little dirty family views*. Doctor F. and his friends know what we mean—Know from what embassy (since we must call it *embassy*) the secretary was dismissed by the ambassador, to make room for the ambassador's nephew—Know by whom the plenipotentiary was ordered to re-instate him whom his meanness had descended to dismiss.

OR

Franklin  
allowed to  
be a philo-  
sopher.

Nero was a  
musician—

OR are his philosophical abilities what Lord Abingdon admires? Our warmest praise is at the Doctor's service. With leave of Tacitus, *magnum virum facile dixeris, bonum libenter*. The merit even of a villain should not be forgotten.—After all, this only proves that such a spirit as Franklin's, before there was treason to employ it, was employed in something else. Milton has given his infernal spirits their amusements.—Virtue's self cannot be idle. Lord Abingdon disposed of his valuable time some other way, before he dipped his pen in politics.

But philo-  
sophy is no  
cloak for  
such porten-  
tous crimes.

THE same Tacitus, in the same place where he liberally says, *Multa donanda sunt ingeniis*, properly adds, *Sed donanda sunt vitia, non portenta*.—Henry the fourth of France asked a Spanish ambassador, "If his master had not virtues enough to cover one vice?" Franklin can boast one single vice, which would cover almost all the virtues in the world.

A sum-  
mary of all  
the evidence  
for the pa-  
negyric.

AFTER all, there is no more reason why one man should be "a philanthropist and a friend of liberty," because he has deliberately endeavoured to be guilty of the basest murder, and wears a fur cap"; than why another, because he gives to music and its low professors all the little time which he can spare from gambling, must therefore be a patriot, a statesman.

Have we  
said too  
much of  
Franklin?

Is our portrait, in very truth, done more from fancy than from life? Then are we truly glad,

\* Part of Franklin's uniform at Paris.—The most infamous of the Roman emperors always wore the *caliga*, the short buskin, of the common centinels, from which he took his detested name of Caligula.

Would,

Would, for the sake of human nature, that it were !  
 —Of this portrait, however, one prophecy we will venture. Should its perishable colours last so long, it will not please posterity : it will not please the difficult eye even of the present age. The resemblance, we acknowledge it, is not sufficiently strong and striking. Alas ! to delineate the prominent features of so marked a character, demands, in addition to the pencil or the pen of a Reynolds, something also belonging to the being (we cannot call it man) to which the character belongs. To be able to paint, with any tolerable truth, the character of a Franklin, requires a Franklin's heart. Theirs be the ability who covet it on terms like these !—Some true Hogarth of antiquity is said to have died with laughing at a caricature of an old woman which he had just completed —We can safely affirm, that we shudder at our own rude sketch, all unfinished as it is, and faulty.

*Much, much more might be said.*

BUT enough.—Upon the contemplation of such a shocking deformity in human nature, as the American plenipotentiary at the court of Versailles, no reader can wish to dwell ; though to observe it may be curious, to describe it useful.

*But the disgusting subject quitted.*

Sight so deform what heart of rock can long  
 Dry-ey'd behold !

THE noble Lord then turns from Dr. Franklin, to say a word or two about “ giving over attendance in “ Parliament ” ;” and about the justifiable propriety of a secession from constitutional duties.—A few words on the same subject ; for it concerns us all—and nearly.

*His Lordship speaks of a secession—*

<sup>2</sup> Lord A. p. 12.

THEY



so will we—

for our business is not to praise ministers, but to discover truth.

And faults there have been,

of omission as well as commission.

But the faults of commission do not *all* belong to the present ministry.

THEY who take up this pamphlet with the expectation of finding in it a hireling defence of the measures of every minister, will egregiously mis-spend their time. There is a mean, there surely is, and a respectable one, between the misery of such base prostitution, and the infamy of blind opposition. An understanding, not more than above the common run, is sufficient to detect mistakes, and errors, and blunders, and inattentions, in almost every administration from the original (and, we were going to say, unfortunate) establishment of the Colonies, down to the present moment—were it of any real service to point out disorders, which have either been long since removed, or for which there is now no remedy.

OMISSION has been our fault, perhaps, as much as commission. What we ought to have done to-day, has been irresolutely deferred, not only till to-morrow, but till the next year. “Thus we play the fool with the time, and the spirits of the wise fit in the clouds and mock us.”

OF commission our faults are many. But every boy who can name them is not qualified to set up for a Statesman. Though the cards have, now and then, been badly played, those, who stand by, see most. Nor must the present opposition fancy that they are to continue scoring the game where the last opposition left off. This is a fresh affair. At this game also sides are sometimes changed. They who are now, so clearly, in their own opinions, on the right side, have been on the wrong. The present members of the

patriotic faction, have been members of "the faction of the predominant power."

THE timid repeal<sup>d</sup> of the stamp act, to which not the eloquence of Mr. Burke<sup>c</sup> has been able to reconcile a single friend of this country, or of America—Who were in power when it past? When it past, not with the single solitary negative of Lord Abingdon, but with a minority in the commons of *one hundred and sixty-seven*, with the respectable protest of *thirty-two* dissenting peers. He, whom Lord Abingdon is "not to quit till he have first abandoned human nature"<sup>2</sup>—the Marquis of Rockingham—and the Duke of Grafton, and Mr. Conway. Proved.

WHEN was the poor, weak, womanly, declaratory act<sup>h</sup> passed, with its ridiculous *crede quod habes et habes*<sup>i</sup>? In the same week, by the same triumvirate. Proved.

By whom was the fact again established<sup>k</sup>? By the same men whose fear surrendered the fact; whose bullying declared the right<sup>l</sup>. The consistent inconsistent. Proved.

<sup>c</sup> Mr. B.'s Letter, p. 15.      <sup>d</sup> 6 G. III. c. 11.      <sup>e</sup> Speech, 19 April 1774. Will this declaimer still *boast* of being one of those who "gave a total repeal to the stamp act, and (if it had been so permitted) a *lasting peace to this whole empire*?" p. 62. See also, "Observations on a late State of the Nation," p. 125, 126, 127.

<sup>f</sup> Lord A. p. 4.

<sup>h</sup> 6 G. III. c. 12.

<sup>i</sup> An act which gave this country as much authority over America, as it has over France, by our King's being *declared King of Great Britain, France, and Ireland*.

<sup>k</sup> 6 G. III. c. 52.

<sup>l</sup> The inconsistency of Opposition will be found more fully displayed in a late sensible little Pamphlet, "Remarks on the Conduct of Opposition."

ency (*insaniens sapientia*) of those who are now our patriots, has been traced “ from the first opposition  
 “ to the stamp act, on principles of convenience,  
 “ to Mr. Pitt’s surrender of the right ; then for-  
 “ ward to Lord Rockingham’s surrender of the fact ;  
 “ then back again to Lord Rockingham’s declara-  
 “ tion of the right<sup>m</sup>.”

Proved.

THE other<sup>n</sup> acts of which America complains—  
 Turn to your statute books—consult your memories.  
 In whose administration were they passed ? Who  
 were then in power ?—Those<sup>o</sup> who are now loudest  
 against the present men in power.

Faults then  
 there have  
 been, tho’  
 nobody  
 choose the  
 blame of  
 them.

MANIFEST, obvious, are the errors—but who  
 committed them ? Nobody can tell. The evil Genius  
 has escaped—nor will he be bound even by the giant  
 arm of Patriotism. Talk to them of faults committed  
 by Administration—Sir, we have nothing to do with  
 Administration, we are the ministers of the people,  
 we are patriots, we belong not to “ the faction of  
 “ the predominant power<sup>p</sup>,” we are not your “ hell-  
 “ governed proscibers<sup>r</sup>,” we are not “ the devils<sup>s</sup>  
 “ in whose hands your government is at present  
 “ found.”—Then, Opposition has its crimes for  
 which it ought to answer.—Or ever the words be  
 out of your mouth, the wheel is again turned round.  
 The buckets have changed situations ; and now—Sir,  
 Faction is the bane of all good government. We are  
 the ministers of this country, and not its enemies con-

<sup>m</sup> Junius, vol. i. p. 83.      <sup>n</sup> 7 G. III. c. 41.—46.—8 G. III.  
 c. 22.      <sup>o</sup> Grafton, Chatham, Campden, Shelburn, Conway.  
<sup>p</sup> Mr. B.’s Letter, p. 15.      <sup>r</sup> Lord A. p. 9.      <sup>s</sup> Idem, p. 33.



cealed under the names of patriots. We are the friends of liberty, and do not propagate doctrines of rebellion with our pens, which we dare not defend with our swords. — Despicable Beings ! — With less greatness of mind than that which made a King of France refuse to revenge injuries offered to him when Duke of Orleans, our patriots refuse to be answerable for injuries done to their country when they were ministers ; and *vice versa*.

FAULTS then there have been. Time was when the complaints of Opposition were not without foundation. Time was, when Opposition was a post of honor. Those times may come again. Whenever they do, if Lord Abingdon really mean well to this country, Lord Abingdon, and the author of these pages, will not find their selves on different sides. Let us a little see, whether, in such times as we have painted, not, we hope ! with the pencil of prophecy, a general secession would be justifiable—as Lord Abingdon contends it clearly would.

HIS Lordship delivers it for his opinion, that “ no member can individually give over his attendance in Parliament, consistently with his duty, because he is out-voted—collectively he may <sup>†</sup>.” But is it true that only a certain quantity of blame attends “ giving over ;” and, although it sit heavy on a single sinner, is it divided and sub-divided into nothing among a number ? “ Rectitude of intention will “ even sanctify error,” his Lordship has said already. Here we seem to be told, that numbers sanctify it. What says Mr. Burke ? By him we are told, that

Faults there may be again.

Q. If the faults of ministry will justify the secession of patriotism ?

A general secession, his Lordship says, they will ; tho’ not a partial secession.

Denied.

<sup>†</sup> Lord A. p. 12.

<sup>u</sup> Idem, p. 5.

“phrensy does not become a slighter distemper on  
 “account of the number of those who may be af-  
 “fected with it—That delusion and weakness pro-  
 “duce not one mischief the less because they are uni-  
 “versal <sup>a</sup>.”

Will a *single*  
 precedent  
 establish  
 secession?

Is secession more justifiable, because the history of our country has supplied, and could supply, his Lordship with only one precedent?—a precedent which stands “single and alone, like as” Lord Abingdon stood on his famous protest.

Of that pre-  
 cedent what  
 were the  
 consequen-  
 ces?

AND what were the consequences of the famous secession in 1738? Good undoubtedly! as his Lordship approves of that, advises a similar secession now: as Sir Edward Newenham is so confident “it would undoubtedly have its due effect <sup>b</sup>.” Sir Robert Walpole perhaps was driven from power. No—Sir Robert Walpole, about whom the abuse of party has long since subsided, as it will hereafter subside about other ministers—did not resign for above three years. What then were the consequences?

An ideo tantum exieras, ut venires <sup>c</sup>?

A speedy  
 return to  
 duty.

Was this mighty secession nothing more than going out at one door of the house, and coming in at another? Exactly so. Sir William Wyndham led them into secession in the latter end of the year 1738; they returned again, like good boys, under the command of Mr. Pulteney early in 1739.

<sup>a</sup> Letter, p. 37.

<sup>b</sup> See epistles from the Irish Cicero to the British Brutus. Lib. I. epist. 1.

<sup>c</sup> Martial.

BUT

BUT did no other consequences follow this famous step? There did—The ministry gained that majority which they wished, which before was sometimes doubtful—government was gratified in every particular by means of that majority; and carried many points of great consequence, which were *warmly* debated in the other house—from which there had been *no* secession—and were carried with *much difficulty* <sup>d</sup>.

What other consequences?

Ministry gained their ends.

BUT the presence of Patriotism might have succeeded, you say, no better in the Commons. Well then—Did no other consequences follow? There did—and consequences most serious. If Sir Robert Walpole wanted genius, he only wanted that without which “the affairs of great nations have often been conducted with distinguished felicity and glory.” He was, beyond dispute, a man of ability; and now it was he most ably displayed that ability. He determined that when the Curiosity of future times should search for the most liberal, useful, and beneficial laws perhaps which were passed in his whole administration, they should all be found in a cluster just at that moment when not a soul was left to oppose.

What other?

The minister gained reputation,

An act prohibiting the importation of books first printed here <sup>f</sup>—the Westminster Bridge act <sup>g</sup>—the new river act <sup>h</sup>: The acts for an hospital at Bath <sup>i</sup>—in behalf of the sugar colonies <sup>k</sup>—for the more easy collecting of county rates <sup>l</sup>—for the more effectual preventing of excessive and deceitful

<sup>d</sup> See Debates, vol. xi. 12 G. II.

<sup>f</sup> 12 G. II. c. 36.

<sup>h</sup> 12 G. II. c. 31.

<sup>k</sup> 12 G. II. c. 30.

<sup>e</sup> Mr. B's letter.

<sup>g</sup> 12 G. II. c. 33.

<sup>i</sup> 12 G. II. c. 31.

<sup>l</sup> 12 G. II. c. 29.

gaming



Proved,

gaming <sup>n</sup>—explaining the acts of Richard II. and Henry VIII. by which none might be justice of assize in his own country <sup>n</sup>—for preventing frauds in gold and silver wares <sup>o</sup>—concerning tanned leather and curriers <sup>p</sup>—empowering chancery to lay out monies for the ease of suitors <sup>q</sup>—for providing a reward to Mrs. Stephens for publishing her cure of the stone <sup>r</sup>—the famous act for the encouragement of the woollen manufacture <sup>r</sup>—All these acts, at the same time that they exalt the character of Sir Robert Walpole, must lower every reader's opinion of secessions.

Opposition prevailed in the very first attack upon ministry after the secession;

TAKING into the question indeed these salutary laws, which the Ability of Sir Robert Walpole procured to pass in the absence of his opposers, with a view to render them and their desertion odious and contemptible, we have some oblique obligations to the secession. Beside these obligations there do not appear any. Our obligations are to the living, not to the dead—to the acting, not to the seceding Opposition. In their first attack upon the minister, after their secession, they succeeded. Unlucky for the secession, unlucky for Lord Abingdon's praises of it! that the very first effect of the returning stream should be to convince the whole country what was lost by

<sup>m</sup> 12 G. II. c. 28. So that, if Sir Robert Walpole be said, with any truth, to have encouraged gaming-houses, in order to seduce men of fortune from opposition; whose descendants are to this day caught in the same destructive snare, as long as they have any thing to venture—still we are indebted to him for this act, which appears to contradict that report.

<sup>n</sup> 12 G. II. c. 27.

<sup>o</sup> 12 G. II. c. 26.

<sup>p</sup> 12 G. II. c. 25.

<sup>q</sup> 12 G. II. c. 24.

<sup>r</sup> 12 G. II. c. 23.

A popular act, undoubtedly, at the time, tho' the discovery of Mrs. Stephens was not worth the 5000l.

<sup>s</sup> 12 G. II. c. 21.

its

its diversion into a different channel. Immediately after Mr. Archer's motion for the address, Mr. Pulteney revived his favourite bill which he had formerly prepared for the encouragement of seamen, and carried it, by the strength of Opposition, in the very teeth of the ministry<sup>†</sup>.

LET no one use this argument against us, and say, that, if Opposition, returning into the old channel, carried every thing before it, the stream was encreased by being stopped for a time. Opposition succeeded, not because it was more numerous, which it appears *not* to have been, but because it changed its ground. The questions were very different upon which it tried its strength before the secession, and, failing, took a child's disgust.

And this not because it was recruited by secession.

BUT what said Sir Robert Walpole to Sir W. Windham's solemn farewell? Did he beseech them to remain? He was only afraid, he said, that they would not be so good as their words; that they would return to Parliament<sup>‡</sup>?—What said Sir Robert Walpole to that famous apology for the seceding members, which Mr. Pulteney would never have made, if he had not thought they stood in need of an apology, more than they deserved such praises as Lord Abingdon thinks proper to bestow? Did he greet their entry? Did he welcome them to their deserted seats? It was a welcome, a greeting, of a singular kind—for he assured them that he had not felt any sort of concern, lest the service of his majesty or the nation should suffer by the absence of those members

Was the minister unhappy at the secession, or happy when it ended? Neither.

<sup>†</sup> Debates, vol. xi. 12 G. 2.

<sup>‡</sup> Debates, vol. xi. p. 70.

who

who had quitted the house; he affirmed the nation was generally sensible that the many useful and popular acts which had passed toward the end of the last session had been greatly forwarded and facilitated by the secession of those gentlemen; he added that, if they now returned only to oppose and to perplex, he should not be at all sorry to see them again secede \*.—Language which every future minister will hold upon every future secession.

His Lordship's precedents then make against him.

Thus much for that secession which, in his Lordship's opinion, shows that a member may collectively give over his attendance in parliament because he is out-voted.—We are of opinion, it shows that no member who is a friend to his country, should ever think of such a desertion, either individually or collectively.

So do his Lordship's arguments about the partial suspension of Habeas Corpus.

If there be a choice between the two modes of secession, his Lordship has surely decided wrong. For his Lordship has properly enough determined a partial suspension of liberty to be better than a total suspension. Now by *secession* his Lordship means, we suppose, a suspension of the honest efforts of patriotism, of the struggles of what little virtue this devoted country yet can boast.—But would any man in his senses prefer a total suspension, annihilation, of such choice things, before their partial suspension? Poor England can ill afford to lose a single man of worth. And will *all* her honest men, headed by Lord Abingdon, form their selves into a body, not to defend, but to desert!

\* Debates, vol. xi. p. 96, 97.



As we are in search, not of contradiction, but of truth, we will remind his Lordship of something like a secession in an earlier reign. We will remind his Lordship of the administration of Wolsey. The power of that proud, but able, prelate is to be dated from the secession of his rivals, the treasurer Duke of Norfolk, Fox Bishop of Winchester, and the Duke of Suffolk—incidents, says History<sup>1</sup>, which left Wolsey to enjoy, without a rival, the whole power and favour of his king; which put into his hands every kind of authority. Nor can we think these two secessions so very different: for we cannot think that the minister, who is a traitor to his country, would be intimidated by the absence and neutrality of those enemies, whose presence and opposition he did not fear.—Ministers have been driven from power, from life, before now—but not by secessions.

So does the secession, if it may be so called, of Wolsey's opposers.

AND are there still any praises for the secession in 1738? and is there still so firm a friend of the constitution as Lord Abingdon, who "exceedingly lamented a secession, such as that, has not now been carried into execution<sup>2</sup>." There are men who, persuaded that Lord Abingdon and his friends mean only to oppose and to perplex, would rejoice, with Sir Robert Walpole, to see them all secede. But those men are not the friends of Britain. The real friends of Britain well know how many, what serious, obligations the constitution of this country owes to Opposition. It is the grand prop which, by standing against the antient temple of Freedom, prevents its fall—A threatening rival, as necessary to British, as Car-

And is Lord A. still for secession?

Then let him secede, say some.

But so say not true patriots.

<sup>1</sup> Hume, c. 28.

<sup>2</sup> Lord A. p. 13.

thage was to Roman virtue. To this country, a conscientious, a respectable opposition is desirable—even an infamous one, though to such an Opposition good men would not belong, though at the violence of such an Opposition good men would point their pens, good men must still confess to be better than none at all.—Honour does not boast the same influence over bodies of men which she possesses over individuals. In politics, at least, every man must be supposed a knave. Neither the theory nor the practice of wise men will ever trust much to the virtue of any government. This it is which makes Opposition in our government so necessary. The discontented barkings of these noisy guards, in the day-time, when all is safe and quiet, may some time or another deter the robber, who would otherwise assail the mansion in the night; may serve also, in the night, to rouse the inhabitants to “watch and ward.”

For Opposi-  
tion is the  
corner-stone  
of our  
freedom.

Is it too strong to say that our Constitution, so long as it continue free, must, literally speaking, consist of four parts, King, Lords, Commons, and—Opposition?—But it certainly is not too strong to say that every nation consists, more or less, of three parts—the body governing, the body governed, and the body opposing government.—We speak here of free countries. Destroy opposition, and upon its ruins, generally speaking, Tyranny will erect the throne of Despotism.—Change your metaphor, and the collision of Opposition and Government may be said to produce the sacred fire of freedom<sup>a</sup>. Will Lord Abingdon cruelly prevent the collision by depriving us of one

<sup>a</sup> “On voit la liberté sortir sans cesse des feux de la discorde et de la Révolution,” says Montesquieu.

of the two things by which alone it is occasioned ?

MR. BURKE had said that " all opposition is vain " and frivolous." His Lordship adds, " I think so " too : but then it does not therefore follow that " all opposition is to be laid aside." And yet does his Lordship advise a general secession ? Must Mr. Burke come again to the House, only to walk out of it " collectively," in company ? In the name of Liberty, let Mr. Burke return to his seat, but not to quit it again, but not to perplex, but not to oppose (except with reason on his side) ! *A sede ipsâ, tantâ ingenii magnitudine orbatâ, desiderari illam vocem puto*<sup>b</sup>. To secede, what is it but to desert ? The real patriot would perish nobly on the last dike—but, to beat down every dike and every mound, because the inundation breaks over here and there, is weak, is womanish, despair ! Paoli, too, will talk of *his secession* :—the deserted Corsicans may justly use, perhaps, a hardy term. He who secedes individually, he who seriously advises a secession collectively, may be a disappointed member of Opposition, but is no true disinterested patriot.

But Lord A. advises secession, in a situation when it is least of all advisable;

Is it indeed " time to look at home ; time, even " with Stentorian voice, to call for union among the " friends of the constitution ; time that private opinions should yield to public safety ; time that we " keep both watch and ward<sup>c</sup> ?" Is the noble Earl's dagger no air-drawn weapon, and is this " dagger " though uplifted against America, meant for the " heart of old England<sup>c</sup> ?" Poor old England !—

<sup>b</sup> Cicero.

<sup>c</sup> Lord A. p. 64.



Then mind the horror of our situation. Mr. Burke deserts us—Lord Abingdon calls after him to return, and all the other guardian-angels of the state, will accompany him, like a flight of swallows, into kinder climes of politics.

and at a  
time when  
neither our  
government  
calls for se-  
cession,

HIS Lordship's Patriotism, indeed, by obscure phrases coupled with dark advice, seems to hint at something which died away upon his prudent lips—though his Lordship do not choose to speak plain, we are not afraid—hints are thrown out of substituting disobedience in the place of obedience, that resistance is become the law of the land. But “wise and good Kings”—Opposition is loud in asserting what is not true; shall not moderate men assert the truth?—But “wise and good kings, being taught by reason and experience that nations delight in the peace and justice of a good government, will never fear a *general* insurrection whilst they take care it be rightly administered; and find themselves by this means to be safe<sup>d</sup>.”

nor our ad-  
ministration.

EVEN of ministers we should speak the truth. Thus much is lawful, because thus much is just, to say of the present administration. It took the field of politics against, as it appeared at a distance, a steady, calm, deliberate opposition; which, however, at every step, has decreased in courage and in numbers—which is now split and splintered into as many different factions, as Opposition can boast adherents; and after all but few. Is the discordant cry of such a straggling band as this, Lord Abingdon's “Stentorian voice of union?”—One

<sup>d</sup> Algernon Sydney, p. 417.

question we will ask, and ask it even of Opposition, and dare even Opposition to an answer. Among the very few who have deserted the present administration, what single individual has the reputation, or deserves it, of deserting upon *principle*? There hangs the enviable prize, the civic crown of thanks. But a dead silence for once prevails through all the noisy ranks of patriots. Even the chaste descendant of Lord Holland does not dare to claim the goodly guerdon.—Of what is this a proof?

THUS much for the question of secession, both collectively and individually—and thus much for the difference of parliamentary conduct between Lord Abingdon and Mr. Burke; which, in some respects, does his Lordship credit. Let us a little enquire, in the next place, concerning their difference <sup>b</sup> in opinion about supremacy of Parliament. From this difference a moderate man may at least learn one lesson—that there is not more of infallibility among the factions of Opposition, than in Mr. Burke's favourite “faction of the predominant power.” A thinking man may perhaps conclude—that they cannot be remarkably calculated to conduct the affairs of great nations, who are not yet acquainted with the most common principles of government.

Next of the difference in opinion between Lord A. and Mr. B.

Great Statesmen should at least know the great principles of government.

As we proceed, it will not be amiss to put Mr. Burke's own words into his mouth. He did not say, either in his letter, or in Lord Abingdon's quotation, “If ever one man lived, more zealous than another,

<sup>b</sup> Who shall decide when Doctors disagree,  
And soundest casuists doubt, like A. and B.?

Mr. B. said that he *was*, not that he *is*, zealous for supremacy.

“ for the supremacy of parliament, it *is*” (but “ it “ *was* ”) “ myself.” So that, as the members of Opposition sometimes differ from one another, and now and then from their selves, Mr. Burke may at present, for what we know, be of a different opinion.

But suppose the latter.

LET us however suppose him to be still zealous for it ; and let us hear the arguments of his Lordship, for arguments they were designed to be, against the supremacy of parliament.

His Lordship quarrels with modes of speech and Patagonian words,

AFTER his Lordship has had the goodness to assure us, that “ to cavil does not belong to him, “ and more especially about words ;” in the next line only his Lordship “ sees, and knows, and is “ persuaded, that these very modes of speech, “ *supremacy of parliament, rights of this imperial “ crown* <sup>d</sup>, with their kindred others, *unity of empire, allegiance to the state*, and such like high-sounding *sesquipedalia verba*, by becoming” — what, for our parts, we do not very well understand — “ Deities and Incantations,” and many other terrible things, “ have done more mischief to the “ state even than the”—what?—“ the sword itself “ of civil war.”—This is that which we do not know, which we are sure we cannot see ; and of which even his Lordship’s reasoning has not been able to persuade our understanding.

<sup>c</sup> Mr. B’s letter, p. 46. Lord A. p. 15.

<sup>d</sup> This phrase is uninterruptedly found in the mouth of the Constitution. Lord Chatham makes the last act which he brought into the House of Lords, speak “ of derogations from the dignity of this *imperial crown*.”



HIS Lordship seems to have as great dislike to hard words of more than one or two syllables, as he most probably entertained when he was acquainted with the Archbishop's whip at Westminster school<sup>c</sup>; which appears to have made a more lasting, and a more disgraceful impression, upon the noble pupil's mind, than his body.

which might make a school-boy angry,

THAT modes of speech, and sesquipedalian words can "do more mischief to the state, even than the "sword itself of civil war," is a singular assertion, unless his Lordship have taken the metaphorical Psalmist literally; who complains, that "their words "were smoother than oil, and yet be they very "swords"—and again, "they speak with their "mouth, and swords are in their lips"—and behold, again, "they have whet their tongue like "a sword; and shoot out their arrows, even bitter "words."

but not a statesman.

"SUPREMACY of Parliament," his Lordship proceeds to assert, "is a combination of terms unknown "to the English polity; allegiance to the state, "like the Whiggism which the Archbishop censured, allegiance run mad." His Lordship having vented his rage upon words, we now come to things. These are assertions which our readers must carry in their memories.—His Grace told the noble Duke also, on that famous day in the house of Lords, that he did not know what Whiggism was. Let us see whether his Lordship

Lord A. then passes from words to things.

Does his Lordship understand the things?

<sup>b</sup> See a most pleasant note of his Lordship's, p. 23. which is by this time in every school-boy's mouth. But was it not out of season, after such a gloomy picture of our present situation? "Civem me-  
"hercule non puto esse, qui temporibus his ridere possit." Cic.

be

be better acquainted with allegiance and supremacy.

We think not.

YES, they are two shining pendants, says his Lordship, in the two ears of Majesty. "Supremacy is an appendant of the crown, and so is 'allegiance'."—But to whom is the crown obliged for these precious jewels? Nay, to whom is Majesty obliged for jewels, crown and all? To Parliament.

What we mean by *Parliament*.

LORD ABINGDON seems to confuse his self and his readers, by applying the word *Parliament* sometimes to the house of Commons, and sometimes to the Legislature at large. By *Parliament* we shall always mean what *Parliament* should always mean, King Lords and Commons. Any one of the three alone is clearly no more supreme, than one limb of the natural body is supreme over the whole: but the unity of all three will be found to constitute something very much like supremacy.

A question asked by Lord A. answered by asking another.

HIS Lordship asks, with no little triumph, "Who ever heard of the oaths of supremacy and 'of allegiance to the Parliament? And why are 'they not taken to the Parliament?'"—These are questions which will be answered, when his Lordship shall condescend to inform us by whom these oaths were ordered to be taken to the King.

What are the present oaths of allegiance and supremacy?

BUT our time will not be thrown away, if we examine, for a moment, what are these boasted oaths. By neither of them does the party swear to apply the words *Allegiance* and *Supremacy* only to the Crown. By neither of them does the party

\* Lord A. p. 15.

† Lord A. p. 16.

swear to observe that kind of supremacy, and that kind of allegiance to the Crown, which any man, more a stranger to this constitution than Lord Abingdon, and there surely are such men, reading his Lordship's pamphlet, and believing his Lordship's assertions, would naturally expect to hear them swear.

THE oath of allegiance, as administered for upwards of six hundred years<sup>c</sup>, contained a promise "to be true and faithful to the King" and his heirs, and truth and faith to bear of "life and limb, and terrene honour, and not to know or hear of any damage intended him, without defending him therefrom." At the Revolution, the terms of this oath appearing, perhaps, to favour too much the notion of non-resistance, our present form was introduced by the convention Parliament, which is much more general and indeterminate: the subject only promising, "that he will be faithful and bear *true* allegiance to the King," without any mention of his heirs; without specifying in the least wherein that *true* allegiance consists. Now, before we go to the oath of supremacy, what is allegiance? Johnson says, it is "the duty of subjects to the Government;" but Johnson is only a lexicographer, and moreover a pensioner, and such like; so we must not take his word. Blackstone<sup>d</sup> gives us the "lineal consanguinity" of it, almost as distinctly as we shall presently find his Lordship giving us the lineal consanguinity of the law and of the constitution.

The former only says we will be faithful, and bear *true* allegiance.

<sup>c</sup> Mirror, iii. 35. Fleta, iii. 16. Britton, 29.—7 Rep. Calvin's case, 6. 1 Hal. P. C. 63. Blackstone, i. 10. <sup>d</sup> i. 10.



Ligeance, or, as it is generally called, Allegiance, is the tie, or ligamen, which binds the subject to the King, in return for that protection which the King affords the subject. The thing is founded in reason, and in the nature of government; the word about which Lord Abingdon contends, is derived to us, as his Lordship undoubtedly knows, from our Gothic ancestors; under whose feudal system allegiance signified the duties of the tenant, or vassal, to his sovereign or liege lord. By an easy analogy, the term of allegiance was soon brought to signify all other engagements which are due from subjects to their prince, as well as those duties which are simply and merely territorial—Duties and engagements every day multiplied or diminished, according to the will or the caprice of Parliament. By analogy, perhaps still more easy, allegiance signifies, as Johnson explains it, “the duty of subjects to “the Government;” or is applied, as the Archbishop so wickedly applies it, “allegiance to the state.”—Look at the King’s coronation oath, and we will venture to say, that may, perhaps, be as truly called an oath of allegiance to the state, as this, which the subject takes, an oath of allegiance to the King<sup>1</sup>.

THE oath of supremacy, *if* it acknowledge the King to be supreme, acknowledg’s him supreme over

<sup>1</sup> Parliament has taken care that the oath of abjuration, introduced in the 13th of King William, c. 6. should amply supply the loose and general texture of the oath of allegiance, for which Lord Abingdon called so triumphantly. That oath recognizes the right of his Majesty, derived under the act of settlement; engages to support him to the utmost of the juror’s power; promises to disclose all traitorous conspiracies against him; renounces any claim of the descendants of the late pretender.

what?

what? Over the church; and even this supremacy we shall presently find the parliament exercising. Even this supremacy the King cannot exercise. Can the King make or unmake a clergyman? No. Can he take away a living to which he has once presented? No. Can he call his subjects to account for their religious opinions? No. Can he change the established religion of his kingdoms? No. Can this supreme head of the church change even his own religion? Can he profess the religion forbidden by parliament? Lord Abington, if he really know any thing of the constitution, must answer No—must acknowledge that this supreme head of the church, the moment he professes the religion which parliament forbids, is declared by parliament “incapable of inheriting, possessing, or enjoying, “the crown of these kingdoms”—That crown of which supremacy is one appendant, allegiance the other.

The latter confers a supremacy which parliament exercises more completely than the King.

FURTHER with regard to this supremacy—it will not be amiss to observe, that, even when parliament conferred it, they conferred it with a qualifying hand. In the act of supremacy are found such clauses as these—*as by any spiritual or ecclesiastical power may LAWFULLY be exercised, and, provided alway, that nothing be done contrary to the LAWS of this realm.*—Further still—The present <sup>m</sup> oath of supremacy does not mention the King. The oath is merely negative. The oath does not say who is supreme, but who are not supreme.

But the oath of supremacy, in fact, confers no supremacy, either on the King or on Parliament.

It is negative, not positive.

<sup>m</sup> See 1 W. and M. stat. 1. c. 1. The positive part of the former oath is entirely omitted.

Lord A.  
wrong in  
saying the  
constitution  
*always* call-  
ed the King  
supreme  
head of the  
church.

Perhaps it  
does not  
~~now~~ call  
him so.

There are  
other prero-  
gatives,  
wherein he  
appears to  
be supreme;

but, in  
fact, is not.

BUT supremacy, it seems, "has ever, in the lan-  
guage of the constitution, belonged to the King,  
"as supreme head of the church". Has it so?  
Then the authors, who affect to trace the history of  
our constitution further back than to the twenty-  
sixth year of the reign of our eighth Henry, are  
impostors. The constitution must have begun to  
exist, at least must have begun to talk, in that year;  
for, until that year, this was clearly not the lan-  
guage of the constitution. Whether it be at present  
the language of the constitution with regard to the  
King, the slightest perusal of this negative oath will  
determine.

IF the King may be called supreme in any thing,  
it appears to be in the power of convening, pro-  
roguing, and dissolving, the two Houses; and of  
passing or refusing bills: and in the power of de-  
claring peace or war, making treaties and granting  
capitulations. The latter of these Locke calls the  
*federative* power, and the sensible author of the  
"Remarks on the Acts of the 13th Parliament," with  
his usual precision, the *procuratorial* power. But is  
there any one part of either of these powers which  
the King can independently exercise? To exercise  
any part of that supremacy which he clearly possesses  
over the two houses, he must be able to do with-  
out that assistance which a king of this country  
will not speedily cease to want. To exercise the  
latter prerogative, the same pecuniary independence  
is, in some measure, necessary. He who prays to  
another power to vouchsafe him this day his daily



bread, can lay little claim to any supremacy which flows from riches.

LORD ABINGDON asked, "who ever heard of the oaths of supremacy and of allegiance to the Parliament?" With the former oath we have done. But let us a little see how the latter is taken to the King. Is it not rather, as it now stands, an oath of allegiance to the state, than to the King in any capacity but in that of one of the three parts of the state? For reasons which the politician immediately perceives, Parliament *divided* its legislative power; but determined, in order to give weight and force to its laws, that the executive power should be lodged in the hands of *one* chief magistrate. Of that chief magistrate the authority is limited by Parliament, as completely as the authority of every other magistrate down to the petty constable. The executive power, the King, is to give life to those acts to which the legislative power, Parliament, has already given every thing but motion. Where is the wonder that Parliament, should expect the people to swear that they will be faithful and bear "true allegiance" to the chief magistrate, after causing its chief magistrate to promise and swear, at his coronation, that he will "govern according to the statutes in Parliament agreed on?"—If the crown were not an appendant of Parliament, with still less truth could allegiance and supremacy be called appendants of the crown.—The oath of allegiance—to say nothing of the oath of supremacy—was dictated by Parliament, has been altered by Parliament, was ordered to be taken to its chief magistrate by Parliament, was ordered to be taken to the present chief

Parliament proved to be supreme by the oath of Allegiance, which it orders us to take to the King, as chief magistrate.

chief magistrate by Parliament——yet allegiance is an appendant of the crown——yet Parliament is not supreme !

*Legislative and supreme the same power in every state.*

BUT, convinced, with a discerning writer<sup>m</sup>, that *legislative* and *supreme* power in a state are convertible terms, we should indeed feel ourselves alarmed, if we were not persuaded how easy it is to prove this power, in its full extent, in Parliament.

Lord A. followed into a digression,

HAD we not promised to follow his Lordship step by step, what we have just said would have more appearance of order. For the same reason, before we go more fully into the supremacy of Parliament, and before we take what little notice we mean to take, which will be more than it deserves, of the noble author's account of the law and the constitution, we shall wander with his Lordship into two digressions ; wherein the hurry of defining has led him into singular mistakes.

wherein he strangely mistakes Mr. B.

MR. Burke had said, that “ the affairs of great “ nations have often been conducted with distinguished felicity and glory, by the mere force of “ civil *discretion*.” Upon this, his Lordship asks, If the rights of Englishmen shall be holden at the *discretion*, at the *will*, of ministers ? Mr. Burke would answer no ; and would assure his Lordship, that nothing was further from his meaning. Was not the Archbishop able to make his noble pupil comprehend that, although *discretion* signify the *liberty of acting at pleasure*, yet it also signifies *prudence, skill* ? Did not Lord Abingdon see, that by

<sup>m</sup> See “ A Letter to the author of an Essay on the Middlesex Election,” 4to, p. 6.

*discretion* Mr. B. intended plain sound parts, as contradistinction from the abilities of the lawyer, the antiquary, or the metaphysician?—What does a nobleman mean, when he tells his friend the jockey, that he shall leave it to his *discretion* to push for the first or for the second heat? If a man skilled only in horse-racing, should ever ascend to power, by what could we hope to see such a being conduct the affairs of a great nation, but simply “by the mere force of “civil discretion?”—And there is a possibility, that even “such a man, so long as honesty continue the best wisdom, and he possess that wisdom, might conduct affairs with felicity, perhaps with glory. The famous Swedish minister Count Oxenstjerne, wisely encouraged his diffident son, with *nescis, mi fili, quam paucâ mundus regitur sapientiâ*.—Unless the inhabitants of Lilliput have changed their ideas since Gulliver was among them, “they believe that Providence never intended to make the management “of public affairs a mystery to be comprehended “only by a few persons of sublime genius, of which “there seldom are three born in an age: but they “suppose truth, justice, temperance, and the like, “to be in every man’s power.”

AGAIN—Mr. Burke had said, speaking of the omnipotence of Parliament, that the madness would be as unquestionable as the *competence* <sup>p</sup> of that parliament which should attempt many things to which,

Followed  
also into another,

“A thorough good Newmarket groom would probably have been a good minister of State, if he had been trained for it.” Greville’s “Maxims, Characters, and Reflections.” cxxxviii. In a note, the parallel is run with great seriousness to a great length.

<sup>p</sup> See Mr. Lemuel Gulliver’s Travels into several remote nations of the World, Part I. ch. 6.

<sup>p</sup> Mr. B.’s letter, p. 49.

at



at the same time, he sees no abstract reason why it should not be competent, should not be omnipotent. His Lordship here chooses, that Mr. Burke should write nonsense, and should say *incompetence*; in order to give his Lordship an opportunity of observing presently, with the gravest of all countenances, “that if the power of Parliament be *unlimited*, the “*incompetency* of Parliament is a position somewhat “paradoxical.” Pity but all his Lordship’s observations were as unanswerable! Such a position would be, in truth, somewhat paradoxical; would be most ridiculous: but the position is Lord Abingdon’s; not Mr. Burke’s. Is not this to raise, with the mirror of all knighthood,

“ ——— Scruples dark and nice;

“ And, after, solve ’em in a trice?—

“ As if *incompetence* had caught

“ The itch, on purpose to be scratched.”

One thing is manifest, that, by virtue of such a modest note ‘ as his Lordship’s, any man may make any author say any thing which he shall please. It is but *presuming*, that the *contrary* of what we read is meant, and that what we read is *an error of the press*, and you may make nonsense of Letters to she-riffs of Bristol, and—what you please of Thoughts upon them.

Return  
from digres-  
sions to the  
question of  
supremacy.

BUT to return to the supremacy of parliament—  
Do the inhabitants of a country wish to know the prominent parts of their manners, their customs, or their government—those parts which particularly

‘ Lord A. p. 22. *Aristarchus Homeri versum negat, quem non probat.*

CICERO.

‘ Lord A. p. 25.

‘ Hudibras.

‘ Lord A. p. 22.

stand out from the rest, and strike the eye of Observation? Let them ask the last foreigner almost who set foot among them—not such a man as M. de Lolme, who, by the quickness of his genius, becomes immediately an inhabitant of every country, as he must be an ornament to any—but let them ask the last stranger almost of *common understanding* who arrived among them; and he will directly point out those prominencies and protuberancies, which, like the Alpine wens, disappear from the familiarity of daily sight.

FIND we out then this foreigner—let us wait upon him with our government in our hands. Behold, Sir, that wonder which you came hither to see, which you have already been here long enough to observe—Does any part of this enviable government appear to you supreme? “Undoubtedly!” our foreigner will reply; for the *most common understanding* is sufficient to convince any one that of every government some part must be supreme—Where then, Sir, does this supremacy reside? As immediately will he answer, “in parliament.” Ask him, why he is of that opinion? “Because,” he will tell you, “he finds every act of supremacy to be, and to have been, executed, without controul, as of right, by parliament.”

A foreigner would say, the supremacy in question resides in Parliament.

Do you wish to enquire at home? Let us go then to those among us, who, as they dictate with the most confidence, have perhaps the most knowledge. But Mr. Burke and Lord Abingdon unfortunately differ in opinion.

The wise men of this country indeed differ.

WHAT is now to be done?—Why—in the name of Liberty! have we not the right of judging for

H

ourselves?

But what  
says the  
constitution  
of our  
country ?

ourselves ? Are we not Englishmen ? Let us listen no more either to patriots or to peers ! Let us see with our own eyes, put our own hands into the print of the nail ! Let us, if it be possible, conjure up the very spirit of our government, and, if we be not consumed by its sacred presence, put our questions of enquiry there, where alone they will be answered truly !

It answers  
that supremacy  
resides  
in Parliament—

PARLIAMENT then—is it constitutionally supreme, unlimited, omnipotent ?——The history of our government shall answer. If any thing, as Mr. Burke properly observes, can be supposed out of the power of human legislature, it is religion. And if any thing can be supposed within the power of human legislature, it is that which human legislature has often altered, might still alter, was very near altering very lately.—That Parliament has altered the established religion of the land, the reigns of Henry VIII. of Edward VI. of Mary, of Elizabeth, sufficiently prove ; if there be proof in fire and sword. That Parliament might alter the established religion to-morrow, will hardly be denied, by any man ; will certainly not be denied by those men who petitioned Parliament <sup>t</sup> to alter it yesterday ; who confess to-day that they desire to see it altered.

Witness its  
power over  
religion ;

which  
certainly is  
supreme.

“ But religion,” his Lordship says, “ has nothing “ to do with the civil rights of the state. It belongs “ to the church.” Verily ! Then is Par-

<sup>t</sup> If the petitioners had succeeded, would not our religion have been altered ?——To what power did the petitioners apply ? To whom does Lord Abington look for that “ alteration, of which he would not “ be sorry to see a little more ?” Lord A. p. 25.

<sup>u</sup> Lord A. p. 23.

liament



liament the more supreme, in that it has had to do with that which has nothing to do with the civil rights of the state.

BUT it is not the inward and spiritual belief which Parliament can alter. It is only the outward and visible dress of religion. "What act of Parliament is to make Lord Abingdon believe that three is one, or one is three, if he do not *choose* it?" Nor can any act of Parliament make any man believe that Lord Abingdon is not king of Great Britain, France, and Ireland, defender of the faith, &c.; but an act of Parliament shall oblige a whole nation to profess it, to say it, to swear it, whether they believe it, or not. An act of Parliament shall oblige Lord Abingdon to profess that three are one, and one is three, and to swear it too, on occasion, if it choose so to do, whether his Lordship choose to believe it, or not. If his Lordship do not believe it, his professing it is a further proof of the supremacy of that power which obliges him.

which certainly is supreme.

MR. Burke sees no abstract reason why the same power that made and repealed the high commission court and the Star-chamber<sup>y</sup>, might not revive them again.—Nor can any abstract reason be given. The Parliament that should attempt it might be mad;

Witness its competence even to the revival of the Star-chamber.

<sup>x</sup> Lord A. p. 24.

<sup>y</sup> Of which, by the way, the institution not at all disgraces Parliament, though the abuse of it disgrace Henry—since, as his own historian acknowledges, it was principally pointed at "force, and the two chief supports of force, combination of multitudes, and maintenance or headship of great persons." Lord Bacon's Henry VII. p. 594. But for the Star-chamber, we might perhaps now experience a much more fatal and insufferable supremacy than that of parliament—the despotism of as many petty tyrants as we have nobles.

but would still be competent. Whether it would ever revive any thing more—whether it would survive that revival, to borrow his Lordship's style—are other questions.—This is among those rights which, Junius properly says, are merely speculative, never to be exerted, nor ever to be renounced<sup>2</sup>.

Against the  
supremacy  
what can be  
urged in  
objection?

BUT let us not engross all the arguments. Let us hear what can be said by objectors, and sturdier objectors than his Lordship, against that which we profess to maintain—supremacy of Parliament. Say against it! we shall be told—Why—maintain supremacy of Parliament, and Parliament can do no wrong; arbitrary taxation, to the last penny, is no tyranny; savage extirpation, no cruelty. Where Power has no bounds, Obedience has no rights. Liberty is a name, property a cypher, life the tenure of a day. Nothing belongs to that man whose very self belongs to another. The possession goes with the possessor to his feudal lord. Scotch liberty, and Scotch law! The bigot Charles made Heaven the accomplice of his villanies; and persecuted, robbed, and massacred mankind *jure divino*. It is now thought safer to rob and murder the people by their *own authority*, by a parliamentary commission. How can a statute bind in all cases whatsoever, while the servant of the crown, the minister, binds this unlimited binder; who is, in his turn, bound by some superior power, the Sampson or Dalilah of the state? The omnipotence of a power which cannot save itself from dissolution in seven years, loudly proclaims its dependent origin, gives the lie to unlimited authority. If it do not, what power shall stop the su-

<sup>2</sup> Junius, 2. 296.

preme, omnipotent power of Parliament? Who shall say, thus far——

MY dear Sir, do take a little breath, while we answer the last of your numerous questions, which indeed contains the marrow of all your arguments. There is a power which stops the power of Parliament, omnipotent as it clearly is. Prudence, constituted, as Mr. Burke says, the god of this lower world. Before Parliament arrive at tyranny, it must pass by the scaffold on which Charles expired, the gibbets on which, at the restoration, his judges died. Do you remember on what occasion the Lacedaemonians returned for answer only *If?*——At the sacking of a city in the last war, an officer observed to a poor man, of whose house he had taken possession, that he and his were entirely in his power; and demanded if he would suffer him quietly to enjoy his wife. He was answered in the affirmative. “But where will you be the while?” proceeds the officer. “At your back,” returns the honest husband, “watching for the instant before you taste of happiness, to stab you to the heart.”

The  
objections  
answered.

IF fear be not a good security to government for the submission of the people, it is the best of all securities to the people for the paternal care of government. There lies the omnipotence—let Parliament exercise it. But if Parliament exercise it to our hurt—there also lie the consequences. Any Parliament has full power to exercise it to our hurt once—no Parliament we trust shall ever exercise it so a second time.

Objections  
answered.

TRUE it is, that two of the three constituent parts of Parliament cannot save their selves from dissolu-

Objections  
answered.



tion<sup>a</sup>—The King can dissolve them to-morrow. But how does this disprove the supremacy of all three united? Nay, even of these two does the King ask who made them parts of Parliament, as Hugh Capet asked Audebert who made him a Viscount? They shall answer, with the haughty Viscount of Perigueux, *Non pas vous, mais ceux qui vous ont fait Roi*<sup>a</sup>—for does not every one know that, though the King have the exclusive right of assembling his Lords and Commons, yet Parliament has said, you shall assemble them at least once in three years<sup>b</sup>? Which is more supreme, the creator, or the creature, who says, you shall create me, whether you will, or not?

An assertion  
of Junius  
contradict-  
ed.

JUNIUS, it is true, tells us, as gravely as if he believed what he says, that “the power of the Legislature is limited, not only by the general rules of natural justice, and the welfare of the community; but by the forms and principles of our particular constitution.” A limitation, as totally impossible to be described, except in general words like these, which mean just nothing, as Montesquieu’s limitation of the Omnipotence of God. “If this doctrine be not true,” proceeds Junius, “King, Lords, and Commons might unite the legislative and executive power in the same hands, and dissolve the Constitution by an act

<sup>a</sup> We mean *dissolution*, as constituent parts of Parliament.

<sup>b</sup> Mezeray.

<sup>b</sup> 16 Charles II. c. 1.—1 W. & M. St. 2. c. 2.—6 W. & M. c. 2.—The period, beyond which it is enacted that the sitting and holding of parliaments shall not be intermitted, is three years at the most.—The same period is allowed in Sweden for intermitting their general Diets. Mod. Univ. Hist. 33. 15.

“ of Parliament <sup>c</sup>.”—And will any man say, they *cannot* dissolve the Constitution? It can only be said by him who does not know that they have already done it more than once. “ If England “ does not share the same fate with other despo- “ tic countries, it is because we have better re- “ sources than in the virtue of either house of “ Parliament <sup>d</sup>.” Here we are agreed with Junius, even though Lord Abingdon belong to one house, and Mr. Burke to the other. But it is asked, how we are to escape the despotism of other countries? how we are to be preserved from any tyranny which this omnipotent power may choose to exercise? We can but answer, that parliament has always been supreme, yet this country has been always free—that in the only two grand instances of such tyranny, this country found remedies, which, in similar tyrannies, it will always find. Extreme cases point out their own remedies. To lay down rules would be no less unnecessary than impossible. Such rules would be applicable just at that moment when all laws, when all rules, are at an end. Are we asked by what means it can be known when that critical moment is arrived? we will answer in the sensible words of

Grand  
objection  
answered.

<sup>c</sup> It is a curious fact, that the House of Commons, though not supreme to-day, may yet be so to-morrow; may, whenever it please, swallow up the other two branches, and engross the whole power of the Constitution. See Hume's 5th Essay; wherein is a satisfactory solution of this paradox.

<sup>d</sup> See the “ dedication to the English Nation,” prefixed to the Letters of Junius.

a dis-

There is a line which even this supremacy can never overstep.

a distinguishing <sup>c</sup> writer—The principle of utility will point out the moment to every individual. It is then, we may say, and not till then, allowable to, if not incumbent on, every man, as well on the score of duty as of interest, to enter into measures of resistance; when, according to the best calculation he is able to make, the probable mischiefs of resistance (speaking with respect to the community in general) appear less to him than the probable mischiefs of submission. This is to him, that is, to each man in particular, the juncture for resistance. Before this juncture, resistance in the *freest* country would come too soon; were the juncture already arrived, the time for resistance would be come already under the most *despotic* government in the world.

Parliament then is supreme, is omnipotent;

THE divine attribute of Omnipotence <sup>f</sup>, though it do not reside in this or in that part of our constitution, does reside in Parliament at large, and in the virtue, and honesty, and patriotism of Parliament <sup>g</sup>.

<sup>c</sup> See "a fragment on government," ch. 1. 41. ch. 4. 21. & seq. The same idea will be found also, where few would expect any thing of the kind, in the works of the discontented bard of the Leasowes. Shenstone, vol. 2, on *Politics*.

<sup>f</sup> For this omnipotence American invention has discovered another name—*Combination*. Our King, it seems, has *combined* with his Lords and Commons against their Constitution. See "the Declaration of the Congress," article 13. See also "the Answer," p. 56.

<sup>g</sup> It is not our design to deny, that the ingenious Dr. Price maintains a different doctrine; because it is not our intention to conceal that his doctrine is completely refuted by the ablest of the Doctor's answerers. See "three letters to Dr. Price," 2vo, p. 71. &c.

Estne



Estne Dei sedes nisi terra, et pontus, et aer,  
Et cælum, et *Virtus* <sup>h?</sup>

If those who contend for the limited authority of Parliament, mean to say that it is limited by apprehension of the consequences which would not fail to attend an abuse of its omnipotence—if they call that a limitation—they are indisputably right. By the earlier history of our country we are justified in asserting, that, thus late in the political day, Parliament, all omnipotent as it is, will never point its omnipotence against our happiness. That were to lift the hand of suicide against itself.—The same vibration of the pendulum which marks the existence of tyranny, would mark, at least we hope would mark! the annihilation of government. This, however, you deny to have been the case at all times; and you turn with triumph to the Tudor reigns. Should you be disposed to differ with Dr. Hurd, who asserts, that even under those reigns, the genius of our government was free; all we can say is, that amidst such abject submission of Parliaments, such impious prostration of the people, as then prevailed, it is of little consequence where resides the Omnipotence, or what is the genius of government. The people are already slaves; Resistance has courted them in vain, and no matter who is their master. But it happens, that Parliament exercised the same Omnipotence then, which Parliament still possesses even in the same way, and still exercises; but in a different way. “From the first  
“to the last of the Tudor line, imperious and

nor need we, on that account, entertain *any* apprehensions.

<sup>h</sup> Lucan.

I

“despotic

“ despotie as they were of their own nature, no  
 “ extraordinary stretch of power was ventured  
 “ upon by any of them, but under the counte-  
 “ nance and protection of *an act of Parliament* <sup>1</sup>.”  
 Even the terrible power that the King’s proclama-  
 tions should pass for law, was conferred on the  
 King by Parliament <sup>2</sup>. Does the apprehension of  
 any female reader—for it is within the reach of only  
 female fear—ask, if parliament could do all this  
 when they meet on the twentieth of this good  
 month November? Why, Madam, we must an-  
 swer *yes*. But we have neither a Tudor prince  
 upon our throne, nor are these Tudor times.  
 Should an attempt be made to confer such despo-  
 tism, or a desire be discovered to receive it, an in-  
 jured people would either succeed in their endea-  
 vours to overthrow the fabric of government, or  
 they would perish gloriously like Samson, and  
 Despotism would not have a people on whom to exer-  
 cise its tyranny.—Omnipotence to do wrong, is the  
 omnipotence only of a devil—for such omnipotence  
 no honest man can dispute, against such omnipotence  
 fools only would argue.

Enquiry  
 into his  
 Lordship’s  
 idea of the  
 law and the  
 constitution,  
 and the  
 source of  
 power in  
 State.

WE come, in the next place, to what our noble  
 author says, and, no doubt, means, about the law,

<sup>1</sup> Hurd’s Dialogues, vol. ii. p. 265.—“ I took, to my own pro-  
 vince the reading and explaining the Scriptures to him” (his pro-  
 mising pupil the Duke of Gloucester), “ the instructing him in the  
 “ principles of religion, and the rules of virtue, and the giving  
 “ him a view of History, Geography, Politics and Government.”  
 (Burnet’s Hist. of his own Time, ii. 211.) Let us rejoice that  
 our times can boast a teacher fully equal to the task marked out by  
 Burnet, and a pupil who bids fair to be all Gloucester might have  
 been.

<sup>2</sup> 31 Henry VIII. c. 3.

and the constitution, and the source of power in a state. His Lordship

—— apprehends a world of figures here,  
But not the form of what he should attend <sup>i</sup>.

To follow the arguments with any common degree of gravity, exceeds, we must confess, the little power of face which we are blest withal. Whether the constitution be a circle, the laws the radii thereof, and the people one grand pair of compasses by which the circle is described <sup>k</sup>—whether all of them be all these wonderful things; or any one, or no one, be any one of them—has, we will venture to say, nothing at all to do in the present questions. Government is, at this hour, a matter of practice, more than of theory. Our rights, as well as our happiness, lie within the reach of fewer words than we imagine. To render the obscurity of what we say about them still more obscure by unintelligible metaphor, is impertinence; to sit down to define those rights which we do not understand, is something worse than impertinent. “In this manner the stirrers up of this contention, not satisfied with distracting our dependencies and filling them with blood and slaughter, are *corrupting our understandings*!” We can never, for our simple parts, believe that we have been a people, and have been living agreeably to a contract and to a compact and Lord Abingdon alone knows what, thro’ so many dark ages, down to the present enlightened

<sup>i</sup> Shakespeare.

<sup>k</sup> Lord A. p. 45.

<sup>l</sup> Mr. B’s letter, p. 54.



moment, without knowing a single syllable about any of these matters, till his Lordship was so kind as to set us right. If we have ; why trouble our poor heads about that knowledge, without which we have contrived to do so long, and to be free ? Let the complicated machine continue its motions, and produce our happiness. This we know, that whoever constructed the machine, or however it be constructed, it holds together no longer than while it continue to produce our happiness.

BARGAINS and conditions and contracts and compacts there may be in common life, but there are no such real things in politics. It is the single, simple, bond of interest, of utility, and nothing else, which binds government to the people, and the people to government <sup>1</sup>. As to the people, they so far exist, that they are the subject of government ; but no such aggregate body as the people is known as a part of government <sup>m</sup>. There is indeed, as

<sup>1</sup> See "a fragment on government," ch. i.

<sup>m</sup> In a public paper (the *Gazetteer* of October 28), an essay on libels, signed "Regulus," contains a pleasant conceit about the people. "A libel," it is there said, "against government, according to the present *Star Chamber* doctrine, is a crime that can never exist in a free nation ; for the government there is the people's. It is ordained by them, and administered for them ; and no man in a state of mental sanity can be supposed to libel himself, or his own affairs." We cannot wonder that our readers look at the passage a second time—but we do assure them that it is faithfully transcribed and accurately printed. One thing however does make us wonder—that this humorous author does not go on the highway ; since, if to libel oneself be madness, to hang oneself, or sentence oneself to leave ballast on the river Thames, is surely something more than madness.

we have said, a moment, the moment of resistance, the moment when utility no longer binds, in which the people exist; but not as a corporate body<sup>a</sup>, but not as a body known to the constitution—in that awful moment they exist as something more, they exist as every thing. The constitution, then, not only *ceases* to exist, but *has already ceased* to exist. The growing tyranny of a bad government may at any time foretell with certainty, that, if it continue its approach to despotism, the people *will* exist as a power; but there is no one instant of time when any

<sup>a</sup> But even then it never comes to the *whole* body of the people.—This is the moment for which Lord Abingdon seems to wish. But Lord A. should remember that Locke, some parts of whose treatise his Lordship appears to have thoroughly studied, lays down a truth, to which the present times may subscribe—"Such *revolutions*," says Mr. L. meaning what other writers mean by *a general call of a nation*, "happen not upon every little mismanagement in public affairs. *Great mistakes* in the ruling part, many wrong and inconvenient laws, and all the *slips* of human frailty, will be borne by the people without mutiny or murmur."—It is proper to add, that every word distinguished by italics in this passage, is so distinguished by the author. "Concerning Government." p. 293. edit. 3<sup>rd</sup>. 1728.

Mr. Burke did not recollect this passage of Locke, perhaps, when he wrote his second epistle general to the faithful at Bristol, dated 1 Nov. 1777. "Our task," says this lover of his country, "is difficult. We shall certainly do our best. But when circumstances admit your assistance, *you ought not solely to rely on us.*" &c.—Is this the virtue of Mr. Burke's patriotism?

"Curse on such virtue! 'Twould undo his country."

Let Lord Abingdon and Mr. Burke answer plainly, whether they do not mean, *be ready for rebellion*. Then say so like men. If, in their opinions, the moment of resistance, the moment of rebellion, be come, or nearly come, Lord Abingdon and Mr. Burke must lose every reputation for patriotism, or even common honesty, unless they tell us so plainly, directly, unequivocally.—British liberty has not been defended thus long against every attack of Despotism by the invisible arm of Cowardice—by distant hints, and fearful innuendoes.

one

one government can say the power of the people *does* ° exist. One must always make room for the other. The hero of antiquity told his rival that the world would not hold two suns—neither will the political world hold the supremacy of government, of those who are *governors*, and the supremacy of the people, of those who are *governed*.

BUT the constitution, the British constitution, what is it? Is it something visible, tangible, describable—something which was once for all created by the people, which has always existed, which has never been changed or altered? Is it something solid, which Lord Abingdon always carries about him, no bigger than the philosopher's stone—or is it as big as St. Paul's, and as well known, and as easy to be seen? As Lord Abingdon is a patriot, one would expect him to be conversant with a work which Junius recommended to his countrymen, as “deep, solid, and ingenious”—especially when his Lordship's name *did* <sup>p</sup> stand most conspicuously and

° The ability of M. De Lolme in “the constitution of England,” has fully shown that the diminution of the power of the people, or rather of the actual exercise of their power, has been attended with a real and material increase of their liberty. See that work, which cannot be too much consulted.

<sup>p</sup> The first edition of this most valuable performance, published in French, in 1771, is prefaced with a dedication to Lord Abingdon, which speaks of his Lordship's “*amour raisonné de la liberté; et son esprit étendu qui lui la fait voir, non dans les prérogatives de telle ou telle partie du gouvernement, mais dans l'équilibre de toutes.*” The second edition, in English, in 1775, is only respectfully inscribed to the Right Honourable Willoughby Bertie, Earl of Abingdon. In the third edition, of 1777, his Lordship's name does not occur.—We know too well the quickness of this author's discernment to suppose that his knowledge of individuals does not increase with his acquaintance.

honourably



honourably before the dedication. The penetrating De Lolme says with truth, that the legislative power of a state can change the constitution, *as God created the light*<sup>1</sup>. Where then is the impious politician, who will venture to define the constitution? If a definition we must have, where is the man who will venture to say any more than that the constitution is the will of the legislature operating upon the distribution of the whole mass of power; that, so far from being any thing distinct from law, it is a part of the law? Some time elapses before the pupil becomes more knowing than his teacher; and, in fact, the Archbishop is much nearer truth in his political sermon, than Lord Abingdon in his sermon upon politics.

AFTER having proved, as his Lordship imagined, the power of the people to be the immediate grandmother of the law, the constitution being the parent of the latter, and the offspring of the former, we little expected to be told that "the legislative power of the state must still receive its force from an executive power". Just this, however, his Lordship really chooses to assert.—To point out the full merit of such an assertion by argument, were to do no more than is directly done by stating such an assertion. To imitate his Lordship, and call that, which we cannot comprehend, an error of the press, were to censure undeservedly perhaps; for we can hardly suppose the meanest printer's imp so very ignorant, as to mistake the creature for the creator.

His Lordship pleasantly derives the legislative power from the executive.

ANOTHER assertion would rather surprize a com-

<sup>1</sup> B. 2. ch. 3.

<sup>2</sup> Lord A. p. 29.

His Lordship  
denies that  
Magna  
Charta is an  
act of par-  
liament.

mon politician. "It is not true," his Lordship says, "that Magna Charta is an act of Parliament." Then must we honestly confess ourselves at a loss to discover what it is. But an act of Parliament it clearly is not, proceeds his Lordship; "and for this reason: it was obtained in Running-mead"—which is to be sure not within either the city or liberties of Westminster—"where King John and his adherents appeared to be an inconsiderable number; but the Lords and Commons filled the country"—King, Lords, and Commons then are allowed to have passed this, which is not allowed to be an act of Parliament. The whole matter seems to have been, that the deputies from the Lords and Commons were more numerous on so large a theatre than when they meet in their separate houses.

"Not so, by Heaven" (they answer in a rage)!

"Knights, 'Squires, and steeds must enter on the stage."

So vast a throng the stage can ne'er contain.

"Then build a new, or act it in a plain."

But "it is not true, that Magna Charta is an act of Parliament." Mind then;—the forty successive confirmations of this same Magna Charta—the act called the Petition of Right—the Habeas Corpus act—the Bill of Rights, which Hurd properly makes Mr. Somers call our *new Magna Charta*—and the statute *de Tallagio non Concedendo*, which De Lolme properly calls the engine that protected our

<sup>†</sup> Lord A. p. 31.

<sup>\*</sup> Pope's tale of the dialogue between Don Quixote and the playwright. Essay on Criticism, 270. It would not be much to the disgrace of this age or country, if we were to "build a new."

old Magna Charta—will his Lordship have the goodness to inform us what were these? Or, if his Lordship prefer what he says is not an act of Parliament, before these which clearly are acts of Parliament, with Lord Abingdon remain his Magna Charta and all the liberty it gives! to us belong these acts of Parliament! and let his Lordship decide which party is more free.

BUT contracts and compacts, we have impiously maintained, are things unknown in politics. That are they not, says his Lordship; for an original compact may be found in America. The people of the commonwealth or state of Massachusetts, discovering that their antient government is *totally dissolved*, and that they are driven into a *state of nature*, have entered into this original compact\*.—After all, then, behold! this unintelligible, indefinable, original compact, is neither more nor less than the round-robin of Conspiracy. If the Americans have made the dangerous calculation between the evils of resistance and the evils of obedience, so—they must stand to the consequences: but to talk of

His Lordship says the Americans have entered into an original compact.

\* Posterity can little doubt the sincerity of Lord Abingdon's attachment to the liberties of his country, when the Newmarket annals shall reach them, wherein a horse belonging to his Lordship appears with the respectable name of Magna Charta. With a view also of making his political opinions of all sorts still further known, perhaps, his Lordship calls another horse Puffendorf, and another Pretender. Should the descendant of the Chevalier hastily construe this mark of English patriotism into abuse or ridicule, his majesty should remember that Cæsar and Cato and Pompey are not above lending their names now and then; and a horse is surely a nobler animal than a puppy!

\* See the act of the General Convention, &c. declaring the state of Massachusetts to be a free state.—Lord A. p. 35, &c.



original compacts, is as pleasant as if the cabinet-makers when they leave business, or the taylor when they strike work, were gravely to tell us, that they also had entered into an original compact.

The supremacy of Parliament over the Colonies is proved elsewhere.

OF the legislative power of Parliament over the Colonies, we do not think it necessary to say a single word—Notwithstanding the weight of Lord Abingdon's authority <sup>b</sup>; notwithstanding the still more weighty authority of another great Lord, and once truly great man, who affirmed, that the power of the British Legislature is not supreme over the Colonies in the sense in which it is supreme over Great Britain <sup>c</sup>.—The same able writer has examined this with the same clearness of sight in more places than one <sup>d</sup>.

Full examination of the grounds on which Lord Abingdon so civilly attacks Lord Mansfield.

BUT his Lordship, it seems, if we may credit Sir Edward Newenham, has "made plain the path "to earthly glory and happiness."—And this, among other acts of Patriotism, by "fixing the "public eye on one of the grand criminals <sup>e</sup>." It would be a great blunder indeed, to suppose Sir Edward meant all this praise because Lord Abingdon had fixed the public eye on him the aforesaid Lord Abingdon. To his Lordship's pamphlet then we must go for a solution of this riddle. By the conclusion <sup>f</sup> of that pamphlet, this grand criminal appears to be "the *now* Earl of Mansfield," as

<sup>b</sup> Lord A. p. 47, 48, 49.

<sup>c</sup> Lord Chatham.

<sup>d</sup> See "Remarks on the acts of the 13th Parliament."—See also "the Answer to the American Declaration."

<sup>e</sup> See Sir Edward Newenham's Letter.

<sup>f</sup> Lord A. p. 55.

Lord Abingdon, with all the inbred politeness of hereditary rank, chooses to call that nobleman. The noble author did not, surely ! mean any reflexion, because abilities and services raised the *then* Honourable Mr. Murray, in one reign to a barony, in another to an earldom, both which Lord Abingdon would have possessed, even though his Lordship had neither rendered any services to his country, nor possessed any abilities. However, “ the *first*, the *chief*, and the *great champion* of “ all,” says our noble author, with all the emphasis of Italics, “ for this calamity to a country, “ has been the *now* Earl of Mansfield ; but his “ being so,” proceeds his Lordship, “ was to me, “ *at the very first fight*” (these are our own Italics), “ an argument against the war.”—Indeed, my Lord ! you really surprize us. How did that come to pass !—“ For his Lordship is no *warrior*.” And, is Lord Abingdon serious ? Must a man be a traitor because he is no warrior ? To have charged his Lordship with the abominable crime of being a Scotchman, would have looked something more like an argument than this. The calamity of our country might as well have been set down to the Earl of Mansfield because he is no horse-racer, and no musician.—With regard to the musical part of the story, we will relate an anecdote, which is applicable also to any other part of the accusation. When in the convivial round, a musical instrument was handed to Themistocles, “ I never learned,” said he, “ to “ tune a lute ; but I know how to render my “ country great and flourishing &c.”

\* Plutarch in vitâ.

Lord A.  
proved to be  
wrong, in  
saying, that  
this country  
was the ag-  
gressor in  
1764.

“ As to which of the two countries was the aggressor,” says his Lordship when he takes notice of Lord Mansfield’s arguments, “ and of course, “ which was to blame : this would not bear a dispute ; for,”—for what ?—“ for, in the year “ 1764, this country was the aggressor.” But, if we may be allowed to use the same blunt contradiction which his Lordship used about Magna Charta, and with a little more truth, “ *it is not true,*” that “ in the year 1764, when all was “ peace and harmony between both countries ; “ this country, by its stamp-act, flung the *first* “ stone at America ; and so (the year 1766 except- “ ed) Great Britain continued this stoning of “ America, like as Stephen was stoned,” or like as any body else was ever stoned, “ to the year “ 1775, when the Americans were scalped and “ flayed, even as Bartholomew was <sup>h</sup>,” or even as any other saint, antient or modern. This matter may be settled in five words. The system of policy pursued by this country, with regard to its colonies, has four distinct periods ; though Mr. Burke choose to divide it only into <sup>i</sup> two. The first began at the foundation of the colonies, and ended at the commonwealth Parliament. Of this period the sole object was to secure to the colonies the monopoly of tobacco, and to prevent their gaining that of the fishery.—The second period began in the time of the long Parliament ; but was more fully developed after the Restoration : during which, the Legislature, without asking the consent of America,

<sup>h</sup> Lord A. p. 56.

<sup>i</sup> Speech on American taxation, p. 50.



established a complete monopoly of her trade <sup>k</sup>.— In the third period, which began with the sixth of George II. in the place of monopoly was established, in particular instances, without asking the consent of America, taxation, manifest direct taxation. — At the beginning of the fourth period, which commenced in the present reign, the Legislature saw that the colonies still increased and flourished ; that they were consequently in a situation to contribute still more largely to lighten our public burthens, with many of which we had been evidently loaded upon their account. The Legislature, therefore, made a fourth step in America, as natural, and as regular, and as gradual as its three former steps—The Legislature proceeded to assess, without asking any more consent of America than it before had asked, that proportion of the public burthens which its Colonies should bear, because a proportion they ought to bear ; a proportion they now were able to bear<sup>l</sup>. If then, by “ stoning like as Stephen was stoned,” Lord Abingdon mean taxation ; the *first* stone was not flung in 1764.—“ The stumbling-block of aggressorship” then Lord Abingdon has not removed.

BUT “ the *now* Earl of Mansfield,” whom our noble author does condescend to call likewise, and

Lord M. defended against Lord A.'s polite charge.

<sup>k</sup> The motives of Parliament will be found in Bernard's fifth Letter.

<sup>l</sup> If we refer to any particular performance often, it is because we will not retail the arguments of others ; because to that performance no reader, curious in the American question, can be referred too often—Upon what we have here said, the author of “ Remarks on “ the acts of the 13th Parliament” has argued more fully and much more ably.

without an Italic, "the learned Lord, proved"—that is, in Lord Abingdon's language, did not prove—"the intention of America to become independent, from Montcalm's letters, and from "Kalm's travels"—from Montcalm's letters, "which have been found to be forgeries," adds his Lordship very coolly. Have they so? Pity but his Lordship had informed us how, or when, or where, or by whom. The subject of his Lordship's panegyric is skilled in private letters. Did Lord Abingdon get his intelligence from Dr. Franklin? It is not pretty to call a parcel of innocent letters forgeries, without being able to prove them so; and he who possesses the proof should give it. The chief justice of the King's Bench does not admit such proof of forgery. It was an Athenian who was not suffered to bear witness upon oath, and a Roman whose written testimony his judges refused to inspect: The bare assertion even of the Earl of Abingdon will not, we fear, in these degenerate days, support a charge like this.—From Kalm's prophecy in 1749, his Lordship slips away, by very gravely assuring us, that the American Congress never informed us they designed to be independent the very first moment they could: and by a pleasantry about the Pretender—To which we will only answer, Kalm's prophecy has been so strictly fulfilled, that he does not seem to have had his intelligence from a single individual only; so that there is no occasion to bring him hither, and suppose him to swear that all the members of the House of Lords spend their lives and fortunes in horse-racing, because one or two dispose of them that way.

WITH

WITH regard to the intention of America to become independent, whatever credit be due to Montcalm's letters, that they had the intention has been the constant opinion of France. In a book already mentioned<sup>m</sup>, the author gives an account of a curious conversation at Constantinople, with M. de Vergennes, then ambassador at the Porte, early in 1763. "You are happy," said he, "in the cession of Canada: we, perhaps, ought to think ourselves happy that you have acquired it.—Delivered from a neighbour whom they always feared, your other colonies will soon discover, that they stand no longer in need of your protection. You will call on them to contribute toward supporting the burthen which they have helped to bring on you, they will answer you by shaking off all dependence." Had M. de Vergennes no better grounds for asserting that which has since proved true, than Lord Abingdon for denying the truth of one of the grounds on which Lord Mansfield founded his assertion?—May we be allowed to shew further the French opinion of American independence, by mentioning another anecdote, for the truth of which we think we can venture to vouch? When Mr. Stanley waited upon Choiseul with the ultimatum, the Duke, during their interview, expressed his wonder that our great Pitt (*votre grand Pitt*) should be so attached to the cession of Canada; for the inferiority of its population, he observed, would never suffer it

<sup>m</sup> See "three letters to Dr. Price," p. 137. This gentleman, we can assert, is still in correspondence with Vergennes.



to be dangerous in the hands of France ; and being in the hands of France, to us it would always be of service, to keep our Colonies in that dependence which they would not fail to shake off the moment Canada should be ceded.—Mr. Stanley is still alive. We have reason to assert, that these were almost the very words which passed. We cannot surrender our little anecdote, even upon the faith of Lord Abingdon's magisterially affirming, that this also " has been found to be a " forgery."

Lord Mansfield not quite deficient enough in abilities, immediately to mark that for the wrong side to which he adheres.

BUT Lord Mansfield's being on one side, was to the impartial Lord Abingdon, and *at the very first sight*, an argument for being on the other side.—Posterity may think otherwise. Posterity may possibly be of opinion, if not, at the very first sight, that Lord Mansfield could not possibly be in the wrong ; at least, that even his Lordship's youth and inexperience and ignorance might, once in a way, or so, stand perhaps some little chance of being, by accident, in the right, as well as the age and the ability and the wisdom of the Earl of Abingdon.

Sir E. N.'s argument about the Germans much better than his Lordship's.

HAD not the " German blood-hounds" made their appearance in his Lordship's pamphlet, we should in truth have been surprized: and most bloodily are they arrayed against us in the narrow defile of the 59th page. His Lordship's fellow-labourer in the Irish vineyard treats the matter with much more pleasantry. Sir Edward Newenham asks (it does not directly appear indeed whether in jest or in earnest), "if the Jerseys have invaded the principality of Hesse? the back settlements of New York insulted the Dukedom of Brunswick? or  
" the

“ the little island of Nantucket threatened with  
 “ incursion the potent prince of Anspach <sup>n</sup> ?”

TOUCHING his Lordship's ingenious joke, of making “ the *now* Earl of Mansfield” a drover, and telling us how “ he drove us on until we are all  
 “ now driven, like so many *asses* into a pound; and  
 “ are so impounded, that fourteen shillings land-  
 “ tax in the pound, nay, all the pounds shillings  
 “ and pence in the nation will not unpound us”—  
 we can only admire such right honourable wit; and beg his Lordship not to answer for all his countrymen :

Notice taken of the noble Lord's illustrious joke.

His Lordship intreated not to make *asses* of us all.

Primum ego me illorum, dederis quibus esse poetis,  
 Excerptam numero °.

If his Lordship choose to answer for his self, we by no means allow him to answer for us.—On the merit of the joke a school-boy would perhaps immediately decide, with the old remark of penny wise, and pound foolish.

BUT Lord Abingdon at last concludes the pleasant account which he has condescended to give us of his sentiments and his principles with a serious air, which at least should make us believe him to be sincere. A burthen of the political ditty, wherein Sir Edward Newenham also has loudly joined. Those who talk of blood, who offer us their blood, either mean what they say, or offer us only that, which, should it be accepted, they did not mean to give. Lord Abingdon and Sir Edward Newenham have solemnly offered us their blood, have told us they are ready to seal their sentiments and their principles with their blood. The censure, which his Lord-

Conclusion—  
 —with a word or two of the conclusions of Lord A.'s pamphlet, and Sir E. N.'s letter.

° Sir E. N.'s letter.

° Hor.

ship's severity threw upon the Chief Justice, does not here recoil upon his self. Lord Abingdon, if he be at present no warrior, is at least willing to become one. Good!—"Are there not wars?" says honest Jack Falstaff—"Is there not employment? Doth not the King lack subjects? Do not the rebels need soldiers?" They have only to realize their golden promises. "If they choose to fight their battles in their own persons, nobody prevents their setting sail to America in the next transports<sup>p</sup>."

SHOULD the present *hell-governed proscription* still continue, should our government still be found in the hands of *Devils*, should this *destructive civil war* still proceed, and Lord Abingdon and Sir Edward Newenham yet use none of their blood as sealing-wax: what reader will not think of the false school-boy, who swears to his mother's waiting-maid that he will die at her dear feet, and pour out the last drizzling drop of his blood to serve her? who will not say of such vain braggarts, what the player in the prologue to "the School for Scandal" says of its author?

For your applause all perils he'll go through:  
He'll fight—that's *write*—a cavalliero true!

'Till every drop of blood—that's *ink*—be spilt for  
you.

<sup>p</sup> Mr. Burke's letter, p. 35.

F I N I S.



